

Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morse.
Golson.	Munson.
Good.	Palmer.
Goodman.	Pavlica.
Greathouse.	Pope.
Griffith.	Puryear.
Hankamer.	Ramsey.
Hartzog.	Ratliff.
Hicks.	Ray.
Hodges.	Reed of Bowie.
Holekamp.	Roberts.
Holland.	Rogers of Hunt.
Hoskins.	Rogers of Ochiltree.
Huddleston.	Rollins.
Hunt.	Ross.
Hyder.	Russell.
Jackson.	Savage.
James.	Scarborough.
Jefferson.	Scott.
Jones of Runnels.	Shannon.
Kayton.	Shults.
Kyle of Hays.	Smith.
Kyle of Palo Pinto.	Steward.
Laird.	Stinson.
Latham.	Sullivant.
Leonard.	Tennynson.
Lindsey.	Tillery.
Lotief.	Townsend.
Magee.	Turlington.
Mackay.	Vaughan.
Mathis.	Wagstaff.
McCullough.	Walker.
McGregor.	West.
Merritt.	Winningham.
Metcalf.	Wood.
Mitcham.	Young.

## Present—Not Voting

Devall.

## Absent

Bedford.	Jones of Atascosa.
Butler.	Jones of Shelby.
Calvert.	Lemens.
Cathey.	Long.
Caven.	McClain.
Cowley.	McKee.
Davidson.	Morrison.
Engelhard.	Nicholson.
Few.	Parkhouse.
Graves.	Patterson.
Haag.	Reader.
Harman.	Reed of Dallas.
Harris.	Renfro.
Harrison.	Riddle.
Head.	Stanfield.
Hester.	Stovall.
Hill of Brazoria.	Tarwater.
Hill of Webb.	Thomas.
Holloway.	Weinert.
Hughes.	Wells.
Johnson of Anderson.	

## Absent—Excused

Johnson	McDougald.
of Dimmit.	Van Zandt.

## SENATE BILL ON FIRST READING

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate Bill No. 98, to the Committee on Appropriations.

## RECESS

On motion of Mr. Mathis, the House, at 5:30 o'clock p. m., took recess to 9:30 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Education: House Bill No. 233.

Judicial Districts: Senate Bills Nos. 409 and 192.

Agriculture: House Bill No. 623.

Game and Fisheries: House Bills Nos. 882 and 884.

The Committee on Agriculture filed an adverse report, with a minority favorable report, on House Bill No. 858.

## FIFTIETH DAY

(Continued)

(Thursday, April 13, 1933)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Stevenson.

## HOUSE BILL NO. 6 WITH SENATE AMENDMENTS

Mrs. Hughes called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 6, A bill to be entitled "An Act to regulate the granting of pipe line right of way easements, and the terms thereof, and the rates to be charged therefor, across public lands of Texas; providing for the disposition of proceeds received from

such easements, etc., and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mrs. Hughes, the House concurred in the Senate amendments by the following vote:

Yeas—112

Adamson.	Jones of Shelby.
Aikin.	Kyle of Hays.
Alsup.	Kyle of Palo Pinto.
Anderson	Laird.
of Bexar.	Latham.
Baker.	Lemens.
Barrett.	Lindsey.
Barron.	Lotief.
Bedford.	Magee.
Bourne.	Mackay.
Bradley.	McClain.
Calvert.	McCullough.
Camp.	McDougald.
Canon.	McKee.
Cathey.	Merritt.
Chastain.	Mitcham.
Clayton.	Moore.
Colson.	Morrison.
Cowley.	Morse.
Crossley.	Munson.
Daniel.	Nicholson.
Davidson.	Palmer.
Dean.	Pavlica.
Devall.	Puryear.
Dunlap.	Ramsey.
Dunagan.	Ratliff.
Dwyer.	Ray.
Fain.	Reed of Bowie.
Few.	Reed of Dallas.
Fisher.	Renfro.
Fuchs.	Riddle.
Glass.	Roberts.
Golson.	Rogers of Hunt.
Good.	Rogers
Goodman.	of Ochiltree.
Graves.	Rollins.
Griffith.	Ross.
Haag.	Russell.
Hankamer.	Savage.
Harman.	Shannon.
Hartzog.	Shults.
Head.	Stanfield.
Hester.	Steward.
Hicks.	Stinson.
Hill of Brazoria.	Stovall.
Hodges.	Tarwater.
Holland.	Thomas.
Hoskins.	Tillery.
Huddleston.	Townsend.
Hughes.	Turlington.
Hunt.	Van Zandt.
Hyder.	Vaughan.
James.	Walker.
'Jefferson.	Weinert.
Jones of Runnels.	Wells.

West.  
Winningham.

Wood.  
Young.

Absent

Alexander.	Jones of Atascosa.
Anderson	Kayton.
of Johnson.	Leonard.
Beck.	Long.
Burns.	Mathis.
Butler.	McGregor.
Caven.	Metcalfe.
Coombes.	Moffett.
Duvall.	Parkhouse.
Engelhard.	Patterson.
Ford.	Pope.
Greathouse.	Reader.
Harris.	Scarborough.
Harrison.	Scott.
Hill of Webb.	Smith.
Holekamp.	Sullivant.
Holloway.	Tennyson.
Jackson.	Wagstaff.
Johnson	
of Anderson.	

Absent—Excused

Johnson  
of Dimmit.

#### HOUSE BILL NO. 575 WITH SEN- ATE AMENDMENTS

Mrs. Hughes called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 575, A bill to be entitled "An Act for the purpose of making plain the salute to the Texas Flag, and giving uniformity to the salute; providing a clear description of the Flag to the end that pupils in the lower grades of the elementary school will be able to draw or make the Flag; providing for the standardization of the star in the blue stripe in the dimensions used, and its position in the stripe so that uniformity shall be the result hereafter in the making of Texas Flags; describing the method of construction of the star in language that is definite and clear; and outlining rules for correct use and display of the Texas Flag, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mrs. Hughes, the House concurred in the Senate amendments.

## HOUSE BILL NO. 253 WITH SENATE AMENDMENTS

Mr. Tarwater called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 253, A bill to be entitled "An Act amending Article 7005, Title 121, Revised Civil Statutes of the State of Texas, as amended by the Acts of 1931, Forty-second Legislature, Regular Session, page 852, Chapter 360, Section 1, exempting Bailey County and others from the provision requiring the election of a hide and animal inspector and other provisions of Chapter 7, Title 121, Revised Civil Statutes of 1925, State of Texas, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Tarwater, the House concurred in the Senate amendments by the following vote:

Yeas—103

Adamson.	Haag.
Aikin.	Hankamer.
Alexander.	Harman.
Anderson	Hartzog.
of Bexar.	Head.
Baker.	Hicks.
Barrett.	Hill of Brazoria.
Barron.	Hodges.
Beck.	Holland.
Bedford.	Hoskins.
Bourne.	Huddleston.
Burns.	Hunt.
Calvert.	Hyder.
Camp.	James.
Canon.	Jefferson.
Chastain.	Jones of Runnels.
Clayton.	Jones of Shelby.
Colson.	Kyle of Hays.
Crossley.	Kyle of Palo Pinto.
Daniel.	Latham.
Davidson.	Lemens.
Dean.	Lindsey.
Devall.	Long.
Dunagan.	Mackay.
Dwyer.	Magee.
Engelhard.	McClain.
Fain.	McCullough.
Few.	McDougald.
Fisher.	McKee.
Fuchs.	Merritt.
Glass.	Moore.
Good.	Morrison.
Goodman.	Morse.
Graves.	Munson.
Griffith.	Palmer.

Parkhouse.	Shults.
Patterson.	Stanfield.
Puryear.	Steward.
Ramsey.	Stinson.
Ratliff.	Stovall.
Ray.	Tarwater.
Reed of Bowie.	Thomas.
Reed of Dallas.	Tillery.
Riddle.	Turlington.
Roberts.	Vaughan.
Rogers of Hunt.	Walker.
Rogers	Weinert.
of Ochiltree.	Wells.
Rollins.	West.
Ross.	Winningham.
Russell.	Wood.
Savage.	Young.
Shannon.	

## Absent

Alsup.	Jones of Atascosa.
Anderson	Kayton.
of Johnson.	Laird.
Bradley.	Leonard.
Butler.	Lotief.
Cathey.	Mathis.
Caven.	McGregor.
Coombes.	Metcalfe.
Cowley.	Mitcham.
Dunlap.	Moffett.
Duvall.	Nicholson.
Ford.	Pavlica.
Golson.	Pope.
Greathouse.	Reader.
Harris.	Renfro.
Harrison.	Scarborough.
Hester.	Scott.
Hill of Webb.	Smith.
Holekamp.	Sullivant.
Holloway.	Tennyson.
Hughes.	Townsend.
Jackson.	Van Zandt.
Johnson	Wagstaff.
of Anderson.	

## Absent—Excused

Johnson  
of Dimmit.

## BILL ORDERED NOT PRINTED

On motion of Mr. McKee, House Bill No. 202 was ordered not printed.

## HOUSE BILL NO. 82 WITH SENATE AMENDMENTS

Mr. Stanfield called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 82, A bill to be entitled "An Act amending Article 6954, Chapter 6, Title 121, of the Revised Civil

Statutes of Texas, 1925, as amended in Chapter 245, of the Acts of the Regular Session of the Fortieth Legislature of Texas, as amended in Chapter 5, of the Acts of the Regular Session of the Forty-first Legislature of Texas, etc., and declaring an emergency." (With reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include in said Article the County of Armstrong.)

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Stanfield, the House concurred in the Senate amendments by the following vote:

Yeas—113

Adamson.	Hicks.
Aikin.	Hill of Brazoria.
Alexander.	Hodges.
Alsup.	Holland.
Anderson	Hoskins.
of Bexar.	Huddleston.
Baker.	Hughes.
Barrett.	Hunt.
Barron.	Hyder.
Bedford.	James.
Bourne.	Jefferson.
Bradley.	Jones of Runnels.
Burns.	Jones of Shelby.
Calvert.	Kyle of Hays.
Camp.	Kyle of Palo Pinto.
Canon.	Laird.
Chastain.	Latham.
Clayton.	Lemens.
Colson.	Lindsey.
Daniel.	Long.
Davidson.	Lotief.
Devall.	Magee.
Dunlap.	McClain.
Dunagan.	McCullough.
Dwyer.	McDougald.
Engelhard.	McKee.
Fain.	Merritt.
Few.	Moore.
Fisher.	Morrison.
Fuchs.	Morse.
Glass.	Munson.
Golson.	Parkhouse.
Good.	Patterson.
Goodman.	Pavlica.
Graves.	Pope.
Greathouse.	Puryear.
Griffith.	Ramsey.
Haag.	Ratliff.
Hankamer.	Ray.
Harman.	Reed of Bowie.
Harris.	Reed of Dallas.
Hartzog.	Riddle.
Head.	Roberts.

Rogers of Hunt.	Thomas.
Rogers of Ochiltree	Tillery.
Rollins.	Townsend.
Ross.	Turlington.
Russell.	Van Zandt.
Savage.	Vaughan.
Scott.	Wagstaff.
Shannon.	Walker.
Shults.	Weinert.
Stanfield.	Wells.
Steward.	West.
Stinson.	Winningham.
Stovall.	Wood.
Tarwater.	Young.

Absent

Anderson	Johnson
of Johnson.	of Anderson.
Beck.	Jones of Atascosa.
Butler.	Kayton.
Cathey.	Leonard.
Caven.	Mackay.
Coombes.	Mathis.
Cowley.	McGregor.
Crossley.	Metcalfe.
Dean.	Mitcham.
Duvall.	Moffett.
Ford.	Nicholson.
Harrison.	Palmer.
Hester.	Reader.
Hill of Webb.	Renfro.
Holekamp.	Scarborough.
Holloway.	Smith.
Jackson.	Sullivant.
	Tennyson.

Absent—Excused

Johnson  
of Dimmit.

#### REPORT OF COMMITTEE IN REGARD TO REORGANIZATION OF STATE DEPARTMENTS

On motion of Mr. Graves, the following report was ordered printed in the Journal:

To the Forty-third Legislature of the State of Texas.

Gentlemen: Complying with the provisions thereof, the Committee created by House Concurrent Resolution No. 58, passed by the Forty-second Legislature of the State of Texas, submits herewith its final report. We have issued, and had delivered to you from time to time, Parts I to XIII, inclusive, all of which are in print, of the report of the staff employed by the Committee, entitled "The Government of the State of Texas."

The Committee organized by electing Representatives Harry N. Graves as chairman, and Representative Phil L. Sanders as secretary; at a subsequent meeting, Representative Sanders was elected vice-chairman.

The Committee proceeded very slowly in the beginning. The first few formal meetings, as well as many informal meetings, were devoted to a full discussion and to a study of the work, the Committee as a whole and individually, appreciating more and more fully, from time to time, the importance of a comprehensive study of the various functions of the Government, and the volume of work necessary to make such a study. Many consultations were held, and many interested parties discussed the matter with the members of the Committee, among them Dr. Frank Mann Stewart, of the Department of Government of The University of Texas, was consulted frequently and rendered the Committee very valuable assistance; Dr. S. B. McAlister, of the Department of Government of The North Texas State Teachers College; Mr. Moore Lynn, State Auditor; Mr. Claude Teer, chairman of the Board of Control; Mr. J. D. Hall, budget officer of the Board of Control; Members of the Forty-second Legislature, and many others.

After due deliberation, the Committee considered it advisable to secure the services, if possible, of some agency who was not in any way subject to political, institutional, sectional, or other local or State influence. After a full investigation of the concerns known to the Committee to be engaged in such work in the United States, a contract was entered into with Griffenhagen and Associates to make a survey and recommendations.

The Laura Spelman Fund is interested in such work, and we succeeded in interesting them in the work to be done in Texas, entering into an agreement with them whereby they agreed to expend not to exceed \$22,500 for the purpose of carrying on the work as planned by the Committee in Texas, subject to the provision that the Committee would match the expenditure of the Laura Spelman Fund dollar for dollar.

Some time after the creation of the Committee, the House of Representatives and the Senate of the Forty-second

Legislature, each, passed a simple resolution instructing the Committee to investigate certain alleged irregularities in operation of the Texas Cotton Co-operative Association. In due time, a meeting of the Committee was held for the purpose of taking up the work proposed by these simple resolutions. There were present, in addition to the members of the Committee, several Members of the House of Representatives; Mr. Bullard, attorney for the Texas Cotton Co-operative Association, and Mr. Homer D. Waide, of the Texas Cotton Co-operative Association. A general discussion was had on the matter, and the attorney, Mr. Bullard, Mr. Waide, and several Members of the House questioned the authority of the Committee to carry on such an investigation. It was finally decided that the chairman and secretary of the Committee be instructed to request the Attorney General to give an opinion as to whether or not the Committee was authorized to conduct the investigation under the resolutions as passed. The Attorney General's Department advised that there was some doubt as to the authorization of the Committee. Upon receipt of this opinion from the Attorney General's Department, the Committee took no further action in the matter.

The State Auditor, Mr. Moore Lynn, called the attention of the Committee to certain matters in the Insurance Department that, in his opinion, should be investigated. He also consulted with the Committee as to the advisability of the Committee entering into an investigation of the purchasing for the Highway Department, as between the policies of the Highway Department and the State Board of Control. In due time a hearing before the Committee was held at which appeared Mr. Moore Lynn, State Auditor, Mr. White of the State Auditor's Department, and the matter referred to in connection with the Insurance Department by the State Auditor was gone into. The chairman of the Insurance Commission appeared before the Committee, made a statement, and rendered such assistance as he could in the matter. After a thorough hearing and consultation with the State Auditor and the chairman of the Insurance Commission, the matter was handled by the Insurance Commission and thus disposed of.

With reference to the matter of purchasing by the Highway Department, the State Auditor addressed the Chairman of this Committee by letter at length and in detail. The Committee finally decided that in view of the volume of work then confronting it, that it could not handle the matter to its satisfaction. The Committee is advised that the matter has been presented by the State Auditor to the Forty-third Legislature for such action as may be deemed proper.

This Committee was also called upon from time to time to sit with the Senate Fee Investigating Committee on matters that related to our work, as well as many other matters that were brought to this Committee's attention which might have value in determining much of the different reports we have made to you.

While our thirteen volumes of reports handed to you may contain some mistakes and minor inaccuracies, yet, in the main, the facts stated therein are true and accurate, and are substantiated by the written reports of those charged therewith. A large portion of the information gathered therein comes from the answers to very exhaustive questionnaires, made out and returned by practically every major employe of the State, presenting much interesting information, all of which have been preserved, and can be used for the information of the Legislature.

It is also interesting to note that some of the recommendations made by our Committee and its staff have already been carried out in needed and recognized reforms and betterments in advance of such suggestions appearing in the printed reports.

We urgently request each Member of this Legislature to preserve and study these volumes of reports that have been laid upon your desks; they are already being requested from practically every State in the Union, and from many individuals, as well as libraries in this State; and as the supply is limited, we will soon be unable to furnish further copies thereof.

The Chairman of this Committee feels impelled to here offer his thanks to, and to express his appreciation for, the wonderful co-operation af-

forded him by his fellow Members, who have worked so diligently, tirelessly, and faithfully in an endeavor to make this work a comprehensive, successful effort to carry out to the letter and spirit the resolution creating such Committee, and he indulges the belief that some intelligent and salutary relief will come at an early date in an efficient reorganization of the various disintegrated units of our Government, that will not only result in a saving of some of our extravagantly wasted funds, but also that with the help of our survey staff, and their excellent work, we have pointed out the way that our State may obtain a better, a larger, and a fairer return for each dollar spent of the taxpayer's money.

With such a purpose in view, and high hopes of such a result, we have prepared bills carrying out the major suggestions running throughout all these reports, which bills we commend to your careful attention, indulging the belief that our State would benefit greatly should such suggested measures be enacted into statutes.

In presenting the printed reports, Parts I to XIII, inclusive, to you, a sincere effort has been made to present the facts as determined by the data submitted, and by such investigation as the limited time permitted, with a determination on the part of the Committee to in nowise influence those engaged in the work of assembling the data and arriving at conclusions, to the end that in the final analysis such reports could be made as nearly as possible free from any influences whatsoever, other than from the standpoint of reorganizing the State Government to such an extent as to permit of more efficient operation of its various functions. The members of the Committee, as individuals, do not in all of its details concur in the conclusions arrived at by the staff, as shown by the printed reports referred to above, but realize that the conclusions and recommendations are worthy of serious consideration at the hands of the Legislature and the people of Texas, and we are convinced, after careful study and due deliberation, that the adoption of the recommendations will bring about a more efficient and economical administration of the affairs of the State Government.

The Committee acknowledges and appreciates the splendid support afforded it in a financial way and otherwise by the Laura Spelman Fund, and the courtesy extended to the Committee by the secretary of the Fund, Mr. Guy Moffett.

The Committee expresses its grateful appreciation of the assistance rendered to it by Dr. Frank Mann Stewart, Dr. S. B. McAlister, Mr. Moore Lynn, Mr. Claude Teer, Mr. J. D. Hall, many of the Members of the Forty-second and Forty-third Legislatures, and many other citizens of Texas, both in public and in private life.

The Committee desires to express to Messrs. Griffenhagen and Associates, and their entire staff, its appreciation of the services they have rendered. We have at all times found them zealous and ready to perform any and all demands made of them, without fear or favor.

Finally, we submit the entire report in all of its details to you, the Forty-third Legislature, for your consideration, with the request that you study it and, based upon the facts contained therein, give it such consideration as it may deserve, based upon its merits, and its merits alone, and not upon the personnel of the Committee or anyone connected with the staff, to the end that the desire of the people of Texas for tax relief and for improvement in the service that their Government renders to them may be fully realized.

Respectfully submitted,

H. N. GRAVES, Chairman,  
PHIL L. SANDERS, Secretary,  
J. TURNEY TERRELL,

On the part of the House;

GRADY WOODRUFF,  
CARL C. HARDIN,

On the part of the Senate.

#### Financial Statement

Traveling and other expenses of Committee members . . . . .	\$ 2,670.34
Fees and compensation of staff . . . . .	64,240.84
Witness fees . . . . .	139.08
Express . . . . .	2.77
General repairs . . . . .	1.00

Rents, equipment, etc. . . . .	250.24
Telephone and telegraph . . .	127.70
Traveling expenses of staff . .	1,082.93
Postage . . . . .	546.18
Printing . . . . .	7,267.72
Office supplies . . . . .	439.75
Office equipment . . . . .	19.07

Total . . . . . \$76,787.62

The above statement covers the expenditures of the Committee, with the exception of a few small outstanding bills and some adjustments of differences in accounts. It includes the \$22,500 furnished by the Laura Spelman Foundation.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, April 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 22, A bill to be entitled "An Act to amend Article 5238, of Title 84, Revised Civil Statutes of the State of Texas, 1925, relating to landlords' liens, and extending the lien to include all property of any subtenant of the tenant in such residence, storehouse, or other building and all property stored with or by such tenant or subtenant in such residence, storehouse, or other building with the owner's permission." (With amendment.)

H. B. No. 82, A bill to be entitled "An Act amending Article 6954, Chapter 6, Title 121, of the Revised Civil Statutes of Texas, 1925, as amended in Chapter 245, of the Acts of the Regular Session of the Fortieth Legislature of Texas, as amended in Chapter 5, of the Acts of the Regular Session of the Forty-first Legislature of Texas, etc., and declaring an emergency." (With reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include in said Article the County of Armstrong.) (With amendments.)

H. B. No. 104, A bill to be entitled "An Act to amend Sections 1, 2, and 6, Chapter 148, of the General Laws passed by the Forty-second Legisla-

ture at its Regular Session in 1931, relating to the authority of counties and incorporated cities and the Texas State Parks Board, separately, and in co-operation with each other, to acquire by gift or purchase land for public parks, etc., and declaring an emergency."

H. B. No. 207, A bill to be entitled "An Act to amend Section 4, of Chapter 22, of the General Laws of the Thirty-ninth Legislature, Regular Session, 1925, and declaring an emergency."

H. B. No. 253, A bill to be entitled "An Act amending Article 7005, Title 121, Revised Civil Statutes of the State of Texas, as amended by the Acts of 1931, Forty-second Legislature, Regular Session, page 852, Chapter 360, Section 1, exempting Bailey County and others from the provision requiring the election of a hide and animal inspector and other provisions of Chapter 7, Title 121, Revised Civil Statutes of 1925, State of Texas, and declaring an emergency." (With amendment.)

H. B. No. 338, A bill to be entitled "An Act to amend Article 955, Chapter 6, Title 13, of the Penal Code of the State of Texas, 1925, as amended by Acts of 1931, Forty-second Legislature, Second Called Session, page 20, Chapter 11, Section 1, prohibiting the sale of fish taken from freshwater streams of certain named counties, and also providing means and methods of taking and possessing fish from fresh waters of said counties, and including Blanco County and Kendall County, and declaring an emergency." (With amendment.)

H. B. No. 431, A bill to be entitled "An Act to amend Chapter 2, Title 128, Revised Civil Statutes of Texas, by adding thereto, after Articles 7700, Article 7700-a, authorizing the issuance of funding, refunding, and amortization bonds by water improvement district, prescribing the method thereof, the terms thereof, and declaring an emergency."

H. B. No. 791, A bill to be entitled "An Act amending Subsection 14, of Article 5421-c, of the Revised Civil Statutes of Texas, same being Acts, 1931, Forty-second Legislature, Second Called Session, page 64, Chapter

40, by providing that hereafter in all condemnation proceedings, the mineral rights of the condemned party shall be superior to the surface rights of the condemning party, and in the event of any conflict where it is necessary to drill any offset well, that the surface rights shall yield to the mineral rights, and the condemning party shall immediately remove any interference or hindrance therewith, and in the event of his failure to do so upon demand, the owner of the mineral rights shall have the right to do so, without liability; etc.; and declaring an emergency." (With amendments.)

H. B. No. 854, A bill to be entitled "An Act providing for an open season or period of time when it shall be unlawful to take or kill wild quail in certain counties; providing penalties for the violation thereof; repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### SENATE BILL NO. 92 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 92, A bill to be entitled "An Act amending Article 6008, of the Revised Civil Statutes of 1925, as amended by Section 2, Chapter 26, of the Acts of the Forty-second Legislature, First Called Session, prohibiting the waste of gas by escape, and requiring the confinement thereof under the terms and conditions of said Article; providing for the utilization of gas containing hydrogen sulphide or other foreign substances, for purposes other than light or fuel to the extent of 25 per cent of the open flow of the wells producing such gas; giving the Commission authority to permit such utilization in excess of 25 per cent of the open flow after hearing; and providing that such utilization shall not constitute waste; affixing penalty for violation thereof; repealing all laws in conflict therewith; and declaring an emergency";



The bill having heretofore been read second time, with amendment by Mr. Long pending.

Mr. Chastain moved to table the amendment.

The motion to table prevailed.

Mr. Chastain moved the previous question on the passage of the bill to third reading, and the main question was ordered.

Senate Bill No. 92 was then passed to third reading.

#### MOTION TO TAKE UP SENATE BILL NO. 92

Mr. Stanfield moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 92 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

#### Yeas—98

Adamson.	Haag.
Aikin.	Hankamer.
Alexander.	Harman.
Anderson	Harrison.
of Bexar.	Head.
Anderson	Hicks.
of Johnson.	Hill of Brazoria.
Baker.	Hodges.
Barrett.	Holekamp.
Burns.	Holland.
Calvert.	Huddleston.
Camp.	Hughes.
Canon.	James.
Cathey.	Johnson
Chastain.	of Anderson.
Clayton.	Jones of Atascosa.
Colson.	Jones of Runnels.
Cowley.	Jones of Shelby.
Crossley.	Kyle of Hays.
Daniel.	Kyle of Palo Pinto.
Davidson.	Laird.
Devall.	Latham.
Dunagan.	Lemens.
Duvall.	Leonard.
Engelhard.	Lindsey.
Fain.	Lotief.
Few.	Magee.
Fisher.	Mackay.
Ford.	McClain.
Fuchs.	McCullough.
Glass.	McGregor.
Golson.	Merritt.
Goodman.	Metcalfe.
Graves.	Mitcham.

Moffett.	Shults.
Morrison.	Stanfield.
Parkhouse.	Stinson.
Pope.	Stovall.
Puryear.	Sullivant.
Ramsey.	Tarwater.
Ratliff.	Tennyson.
Ray.	Thomas.
Reader.	Tillery.
Reed of Bowie.	Townsend.
Reed of Dallas.	Van Zandt.
Roberts.	Wagstaff.
Rogers of Hunt.	Walker.
Rogers	Weinert.
of Ochiltree.	Wells.
Savage.	Wood.
Scarborough.	Young.
Scott.	

#### Nays—30

Alsup.	Moore.
Barron.	Morse.
Beck.	Nicholson.
Bourne.	Palmer.
Dunlap.	Patterson.
Greathouse.	Pavlica.
Griffith.	Renfro.
Harris.	Riddle.
Hartzog.	Rollins.
Hill of Webb.	Ross.
Holloway.	Russell.
Hunt.	Shannon.
Kayton.	Steward.
Long.	Turlington.
Mathis.	Vaughan.
McDougald.	

#### Absent

Bedford.	Hoskins.
Bradley.	Hyder.
Butler.	Jackson.
Caven.	Jefferson.
Coombes.	McKee.
Dean.	Munson.
Dwyer.	Smith.
Good.	West.
Hester.	Winningham.

#### Absent—Excused

Johnson  
of Dimmit.

#### TO SUSPEND CERTAIN RULE

Mr. Van Zandt offered the following resolution:

H. C. R. No. 64, To suspend certain Rule.

Whereas, The House of Representatives of the State of Texas has tentatively set a schedule of having night sessions on Tuesday and Thursday of each week to consider local and uncon-

tested Senate and House bills. Now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That Joint Rule XXIII be suspended on Thursday night of each week to permit the consideration of local and uncontested Senate and House bills for thirty days.

The resolution was read second time, and was adopted.

#### BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

H. B. No. 99, "An Act authorizing and directing the Commissioner of the General Land Office of the State of Texas to deed, convey, assign, and/or transfer all right, title, and interest, of whatsoever class, kind, or character, directly or indirectly belonging to the State of Texas in and to that tract of land known as the 26.5-acre Park Site, situated near Concan Post Office, in Uvalde County, Texas, to A. B. Mayhew; and declaring an emergency."

H. B. No. 413, "An Act providing for the government of water improvement districts organized, or hereafter organized, in accordance with the provisions of Chapter 247, Acts of the Fortieth Legislature, and governed by the provisions of Chapter 2, Title 128, Revised Civil Statutes and amendments thereto, and which include within their area or boundaries parts of several organized water improvement districts, and/or irrigation districts, and/or water control and improvement districts, and/or irrigation plants or water plants not organized as defined districts, and providing for the operation, government, and control of such districts and of all such defined districts, irrigation and/or water plants included within such districts; providing for changing the name of such districts to include the name, 'water power control districts,' the extension of the boundaries thereof, the exclusion of land therefrom, the election and appointment of directors, the creation of debts, and the levy and

collection of taxes and water charges, and fixing a lien on properties assessed, etc.; and declaring an emergency."

S. B. No. 80, "An Act amending Article 367, of the Texas Penal Code, relating to demanding and collecting illegal fees; and declaring an emergency."

S. B. No. 83, "An Act amending Section 5, of Article 1029 of the Texas Code of Criminal Procedure, relating to fees of sheriff or constable; and declaring an emergency."

S. B. No. 269, "An Act appropriating the unexpended balance of funds appropriated for the control and prevention of malaria, by Chapter 41, Acts, Regular Session, Forty-second Legislature; and declaring an emergency."

S. J. R. No. 21, Proposing an amendment to Section 1, of Article IX, of the Constitution of the State of Texas.

Providing that the Legislature may, by two-thirds vote, create new counties and change the boundaries of existing counties; providing that no county shall be created with less than an area of 900 square miles, nor shall any existing county be reduced to less than 900 square miles, unless such county shall contain a population of more than 50,000, according to the last United States Census; providing for the submission of such amendment, proclamation, and publication thereof, and making an appropriation of five thousand dollars (\$5,000), or so much as may be necessary, to pay the expenses of such election.

#### SENATE BILL NO. 127 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 127, A bill to be entitled "An Act amending Article 3773, of 1925 Civil Statutes, so as to provide that a judgment in courts of record will not become dormant where execution has issued on such judgment within ten years after its rendition; and declaring an emergency."

The bill was read second time.

Mr. Stinson offered the following amendment to the bill:

Amend Senate Bill No. 127 by striking out that part of line 32, beginning with the word "If," and all of lines 33, 34, 35, and 36, and inserting in lieu thereof the following: "If execution has been issued within the ten years, the judgment shall not become dormant unless ten years shall have elapsed after such ten years tion, unless such judgment be revived."

STINSON,  
MORRISON.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

Senate Bill No. 127 was then passed to third reading.

#### SENATE BILL NO. 127 ON THIRD READING

Mr. Van Zandt moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 127 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107

Adamson.	Dunlap.
Alsup.	Dunagan.
Anderson	Duvall.
of Bexar.	Fain.
Baker.	Few.
Barrett.	Fisher.
Barron.	Ford.
Beck.	Glass.
Bedford.	Golson.
Bourne.	Goodman.
Bradley.	Graves.
Burns.	Greathouse.
Butler.	Hankamer.
Calvert.	Harman.
Camp.	Harris.
Canon.	Harrison.
Cathey.	Hill of Brazoria.
Caven.	Hill of Webb.
Clayton.	Hodges.
Colson.	Holekamp.
Cowley.	Holland.
Crossley.	Hoskins.
Daniel.	Huddleston.
Devall.	Hughes.

Jackson.	Ramsey.
James.	Ray.
Jefferson.	Reader.
Johnson	Reed of Bowie.
of Anderson.	Reed of Dallas.
Jones of Runnels.	Renfro.
Jones of Shelby.	Riddle.
Kyle of Hays.	Roberts.
Kyle of Palo Pinto.	Rogers of Hunt.
Laird.	Rollins.
Leonard.	Ross.
Lindsey.	Russell.
Lotief.	Scarborough.
Magee.	Shannon.
Mathis.	Shults.
McClain.	Stanfield.
McDougald.	Steward.
McGregor.	Stovall.
McKee.	Sullivant.
Merritt.	Tarwater.
Metcalfe.	Tennyson.
Mitcham.	Thomas.
Moffett.	Tillery.
Moore.	Townsend.
Morse.	Turlington.
Munson.	Van Zandt.
Nicholson.	Vaughan.
Parkhouse.	Weinert.
Pavlica.	Wood.
Pope.	Young.
Puryear.	

Nays—6

Aikin.	Hicks.
Alexander.	Ratliff.
Dean.	Scott.

Present—Not Voting

Winningham.

Absent

Anderson	Kayton.
of Johnson.	Latham.
Chastain.	Lemens.
Coombes.	Long.
Davidson.	Mackay.
Dwyer.	McCullough.
Engelhard.	Morrison.
Fuchs.	Palmer.
Good.	Patterson.
Griffith.	Rogers
Haag.	of Ochiltree.
Hartzog.	Savage.
Head.	Smith.
Hester.	Stinson.
Holloway.	Wagstaff.
Hunt.	Walker.
Hyder.	Wells.
Jones of Atascosa.	West.

Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid Senate Bill No. 127 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—115

Adamson.	Kyle of Hays.
Alexander.	Kyle of Palo Pinto.
Alsup.	Laird.
Anderson	Latham.
of Bexar.	Leonard.
Baker.	Lindsey.
Barrett.	Lotief.
Barron.	Magee.
Beck.	Mackay.
Bedford.	Mathis.
Bourne.	McClain.
Bradley.	McDougald.
Burns.	McGregor.
Butler.	Merritt.
Calvert.	Mitcham.
Camp.	Moffett.
Canon.	Moore.
Cathey.	Morrison.
Caven.	Morse.
Colson.	Munson.
Cowley.	Nicholson.
Crossley.	Palmer.
Daniel.	Parkhouse.
Dunagan.	Patterson.
Fain.	Pavlica.
Few.	Pope.
Fisher.	Puryear.
Ford.	Ramsey.
Glass.	Ray.
Golson.	Reader.
Goodman.	Reed of Bowie.
Greathouse.	Reed of Dallas.
Griffith.	Renfro.
Hankamer.	Riddle.
Harman.	Roberts.
Harris.	Rogers of Hunt.
Harrison.	Rollins.
Hartzog.	Ross.
Head.	Russell.
Hill of Brazoria.	Savage.
Hill of Webb.	Scarborough.
Hodges.	Shannon.
Holekamp.	Shults.
Holland.	Stanfield.
Hoskins.	Stinson.
Huddleston.	Stovall.
Hughes.	Sullivan.
Hunt.	Tarwater.
Jackson.	Tennyson.
James.	Thomas.
Jefferson.	Tillery.
Johnson	Townsend.
of Anderson.	Turlington.
Jones of Atascosa.	Van Zandt.
Jones of Runnels.	Vaughan.
Jones of Shelby.	Weinert.
Kayton.	Wells.

West.  
Wood.

Young.

Nays—6

Aikin.  
Dean.  
Devall.

Hicks.  
Ratliff.  
Scott.

Present—Not Voting

Winningham.

Absent

Anderson	Hester.
of Johnson.	Holloway.
Chastain.	Hyder.
Clayton.	Lemens.
Coombes.	Long.
Davidson.	McCullough.
Dunlap.	McKee.
Duvall.	Metcalfe.
Dwyer.	Rogers
Engelhard.	of Ochiltree.
Fuchs.	Smith.
Good.	Steward.
Graves.	Wagstaff.
Haag.	Walker.

Absent—Excused

Johnson  
of Dimmit.

#### SENATE BILL NO. 172 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 172, A bill to be entitled "An Act amending Article 2039-a, Chapter 3, Title 42, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Forty-first Legislature, relating to the service of process on the State Highway Commissioner, and designating said officer as the agent for such purposes in suits against non-residents for injuries inflicted within this State by non-resident operators of motor vehicles or motorcycles, so as to extend, cover, and include not only the owners of said motor vehicles, but likewise their agents, servants, or employes operating the same; etc."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 172 ON THIRD READING

Mrs. Hughes moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, and that Senate Bill No. 172 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—112

Adamson.	Kyle of Palo Pinto.
Aikin.	Latham.
Alexander.	Leonard.
Alsup.	Lindsey.
Anderson	Lotief.
of Bexar.	Magee.
Baker.	Mathis.
Barrett.	McClain.
Barron.	McDougald.
Beck.	McGregor.
Bourne.	Merritt.
Bradley.	Metcalf.
Burns.	Mitcham.
Butler.	Moffett.
Calvert.	Moore.
Camp.	Morse.
Canon.	Munson.
Cathey.	Nicholson.
Cowley.	Palmer.
Crossley.	Parkhouse.
Daniel.	Pope.
Devall.	Puryear.
Dunagan.	Ramsey.
Duvall.	Ray.
Fain.	Reader.
Few.	Reed of Bowie.
Fisher.	Reed of Dallas.
Ford.	Renfro.
Glass.	Riddle.
Golson.	Roberts.
Goodman.	Rogers of Hunt.
Graves.	Rollins.
Greathouse.	Ross.
Haag.	Russell.
Hankamer.	Savage.
Harris.	Scarborough.
Harrison.	Scott.
Hartzog.	Shannon.
Head.	Shults.
Hicks.	Stanfield.
Hill of Brazoria.	Steward.
Hill of Webb.	Stinson.
Hodges.	Stovall.
Holekamp.	Sullivant.
Holland.	Tarwater.
Hoskins.	Tennyson.
Huddleston.	Thomas.
Hughes.	Tillery.
Jackson.	Turlington.
James.	Van Zandt.
Jefferson.	Vaughan.
Johnson	Walker.
of Anderson.	Weinert.
Jones of Atascosa.	Wells.
Jones of Runnels.	Winningham.
Jones of Shelby.	Wood.
Kyle of Hays.	Young.

## Nays—7

Bedford.	Laird.
Dean.	Ratliff.
Hunt.	Townsend.
Kayton.	

## Absent

Anderson	Holloway.
of Johnson.	Hyder.
Caven.	Lemens.
Chastain.	Long.
Clayton.	Mackay.
Colson.	McCullough.
Coombes.	McKee.
Davidson.	Morrison.
Dunlap.	Patterson.
Dwyer.	Pavlica.
Engelhard.	Rogers
Fuchs.	of Ochiltree.
Good.	Smith.
Griffith.	Wagstaff.
Harman.	West.
Hester.	

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid Senate Bill No. 172 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—115

Adamson.	Few.
Aikin.	Fisher.
Alexander.	Ford.
Alsup.	Glass.
Anderson	Golson.
of Bexar.	Goodman.
Anderson	Graves.
of Johnson.	Greathouse.
Baker.	Griffith.
Barrett.	Haag.
Barron.	Hankamer.
Beck.	Harman.
Bourne.	Harris.
Bradley.	Harrison.
Burns.	Hartzog.
Butler.	Head.
Calvert.	Hill of Brazoria.
Camp.	Hill of Webb.
Canon.	Hodges.
Cathey.	Holekamp.
Colson.	Holland.
Cowley.	Hoskins.
Crossley.	Huddleston.
Daniel.	Hughes.
Devall.	Hunt.
Dunagan.	Jackson.
Duvall.	James.
Fain.	Jefferson.

Johnson	Reed of Bowie.
of Anderson.	Reed of Dallas.
Jones of Atascosa.	Renfro.
Jones of Runnels.	Riddle.
Jones of Shelby.	Roberts.
Kayton.	Rogers of Hunt.
Kyle of Hays.	Rollins.
Kyle of Palo Pinto.	Ross.
Latham.	Russell.
Leonard.	Savage.
Lindsey.	Scarborough.
Lotief.	Scott.
Magee.	Shannon.
Mathis.	Shults.
McClain.	Stanfield.
McDougald.	Steward.
McKee.	Stinson.
Merritt.	Stovall.
Metcalfe.	Sullivan.
Mitcham.	Tarwater.
Moffett.	Tennyson.
Morrison.	Thomas.
Morse.	Tillery.
Munson.	Turlington.
Nicholson.	Van Zandt.
Palmer.	Vaughan.
Parkhouse.	Walker.
Puryear.	Weinert.
Ramsey.	Winningham.
Ray.	Wood.
Reader.	Young.

## Nays—5

Dean.	Ratliff.
Hicks.	Townsend.
Laird.	

## Absent

Bedford.	Long.
Caven.	Mackay.
Chastain.	McCullough.
Clayton.	McGregor.
Coombes.	Moore.
Davidson.	Patterson.
Dunlap.	Pavlica.
Dwyer.	Pope.
Engelhard.	Rogers
Fuchs.	of Ochiltree.
Good.	Smith.
Hester.	Wagstaff.
Holloway.	Wells.
Hyder.	West.
Lemens.	

## Absent—Excused

Johnson  
of Dimmit.

SENATE BILL NO. 173 ON SECOND  
READING

The Speaker laid before the House,  
on its second reading and passage to  
third reading,

S. B. No. 173, A bill to be entitled  
“An Act providing for the certification  
of questions of law by trial courts to  
Courts of Civil Appeals, and by such  
courts to the Supreme Court, and for  
the appeal of litigants from orders of  
trial courts overruling or sustaining  
general or special exceptions involv-  
ing the constitutionality or validity of  
laws, orders, rules, and regulations of  
State officers, boards, and other com-  
missions; providing the means and  
manner thereof; providing the rights,  
powers, and duties of such courts, and  
providing generally, for the enforce-  
ment thereof, and declaring an emer-  
gency.”

The bill was read second time, and  
was passed to third reading.

SENATE BILL NO. 173 ON THIRD  
READING

Mr. Anderson of Johnson moved  
that the constitutional rule, requiring  
bills to be read on three several days,  
be suspended, and that Senate Bill No.  
173 be placed on its third reading and  
final passage.

The motion prevailed by the follow-  
ing vote:

## Yeas—109

Adamson.	Goodman.
Aikin.	Graves.
Alexander.	Greathouse.
Alsup.	Harman.
Anderson	Harris.
of Bexar.	Hartzog.
Anderson	Head.
of Johnson.	Hicks.
Baker.	Hill of Brazoria.
Barrett.	Hill of Webb.
Barron.	Hodges.
Bourne.	Holekamp.
Bradley.	Holland.
Burns.	Holloway.
Butler.	Hoskins.
Calvert.	Huddleston.
Canon.	Hughes.
Caven.	Hunt.
Chastain.	Hyder.
Colson.	James.
Cowley.	Jefferson.
Crossley.	Johnson
Daniel.	of Anderson.
Devall.	Jones of Runnels.
Dunagan.	Jones of Shelby.
Duvall.	Kayton.
Fain.	Kyle of Hays.
Few.	Kyle of Palo Pinto.
Fisher.	Latham.
Ford.	Lindsey.
Fuchs.	Lotief.
Glass.	Magee.
Golson.	Mathis.

McClain.	Russell.
McGregor.	Savage.
Merritt.	Scott.
Mitcham.	Shannon.
Moffett.	Shults.
Moore.	Stanfield.
Morrison.	Steward.
Morse.	Stinson.
Nicholson.	Stovall.
Palmer.	Sullivant.
Parkhouse.	Tarwater.
Pavlica.	Tennyson.
Puryear.	Thomas.
Ramsey.	Tillery.
Ratliff.	Townsend.
Ray.	Turlington.
Reed of Bowie.	Van Zandt.
Reed of Dallas.	Vaughan.
Renfro.	Wagstaff.
Riddle.	Walker.
Roberts.	Wells.
Rollins.	Winningham.
Ross.	Wood.

## Nays—7

Beck.	Laird.
Camp.	McDougald.
Dean.	Scarborough.
Hankamer.	

## Absent

Bedford.	Long.
Cathey.	Mackay.
Clayton.	McCullough.
Coombes.	McKee.
Davidson.	Metcalf.
Dunlap.	Munson.
Dwyer.	Patterson.
Engelhard.	Pope.
Good.	Reader.
Griffith.	Rogers of Hunt.
Haag.	Rogers
Harrison.	of Ochiltree.
Hester.	Smith.
Jackson.	Weinert.
Jones of Atascosa.	West.
Lemens.	Young.
Leonard.	

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid Senate Bill No. 173 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—108

Adamson.	Anderson
Aikin.	of Johnson.
Alexander.	Baker.
Alsup.	Barrett.
Anderson	Barron.
of Bexar.	Bourne.

Bradley.	Latham.
Burns.	Leonard.
Butler.	Lindsey.
Calvert.	Lotief.
Canon.	Mathis.
Caven.	McClain.
Chastain.	Merritt.
Clayton.	Metcalf.
Colson.	Mitcham.
Cowley.	Moffett.
Crossley.	Morrison.
Daniel.	Morse.
Davidson.	Munson.
Devall.	Nicholson.
Dunagan.	Palmer.
Duvall.	Parkhouse.
Fain.	Pavlica.
Few.	Pope.
Fisher.	Puryear.
Ford.	Ramsey.
Glass.	Ratliff.
Golson.	Ray.
Goodman.	Reed of Bowie.
Greathouse.	Reed of Dallas.
Griffith.	Renfro.
Harman.	Riddle.
Harris.	Roberts.
Harrison.	Rollins.
Hartzog.	Ross.
Head.	Russell.
Hill of Brazoria.	Scott.
Hill of Webb.	Shannon.
Hodges.	Shults.
Holekamp.	Stanfield.
Holland.	Steward.
Hoskins.	Stovall.
Huddleston.	Sullivant.
Hughes.	Thomas.
Hunt.	Tillery.
Jackson.	Townsend.
James.	Turlington.
Johnson	Van Zandt.
of Anderson.	Vaughan.
Jones of Atascosa.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Wells.
Kayton.	Winningham.
Kyle of Hays.	Wood.
Kyle of Palo Pinto.	Young.
Laird.	

## Nays—9

Beck.	Magee.
Camp.	McDougald.
Dean.	Scarborough.
Hankamer.	Tennyson.
Hicks.	

## Absent

Bedford.	Good.
Cathey.	Graves.
Coombes.	Haag.
Dunlap.	Hester.
Dwyer.	Holloway.
Engelhard.	Hyder.
Fuchs.	Jefferson.

Lemens.	Rogers of Hunt.
Long.	Rogers
Mackay.	of Ochiltree.
McCullough.	Savage.
McGregor.	Smith.
McKee.	Stinson.
Moore.	Tarwater.
Patterson.	Weinert.
Reader.	West.

Absent—Excused

Johnson  
of Dimmit.

#### COMMITTEE IN COMPLIANCE WITH SENATE CONCURRENT RESOLUTION NO. 20

The Speaker announced the appointment of the following committee, in compliance with Senate Concurrent Resolution No. 20: Messrs. Alexander, Coombes, Metcalfe, Moore, and Steward.

#### SENATE BILL NO. 195 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 195, A bill to be entitled "An Act to apportion the State of Texas into congressional districts, naming the counties composing the same, and providing for the election of a Member of the Congress of the United States from each district, and repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Mr. Ramsey offered the following committee amendment to the bill:

Amend Senate Bill No. 195 by striking out all below the enacting clause, and substitute in lieu thereof the following:

"Section 1. The State of Texas shall be apportioned into the following Congressional Districts, each of which shall be entitled to elect one Member of the Congress of the United States:

"First: The following counties shall compose the First District, to wit: Bowie, Cass, Franklin, Red River, Titus, Morris, Camp, Hopkins, Marion, Harrison, Upshur, and Gregg.

"Second: The following Counties shall compose the Second District, to

wit: Jefferson, Orange, Angelina, Jasper, Newton, Sabine, San Augustine, Nacogdoches, and Shelby.

"Third: The following Counties shall compose the Third District, to wit: Kaufman, Van Zandt, Smith, Henderson, Cherokee, Rusk, Panola, and Wood.

"Fourth: The following Counties shall compose the Fourth District, to wit: Grayson, Fannin, Collin, Hunt, Lamar, Delta, Rockwall, and Rains.

"Fifth: The following County shall compose the Fifth District, to wit: Dallas.

"Sixth: The following Counties shall compose the Sixth District, to wit: Navarro, Limestone, Freestone, Anderson, Leon, Hill, Madison, and Houston.

"Seventh: The following Counties shall compose the Seventh District, to wit: Galveston, Chambers, Liberty, Montgomery, San Jacinto, Polk, Tyler, Waller, Trinity, Walker, Grimes, Hardin, and Brazos.

"Eighth: The following County shall compose the Eighth District, to wit: Harris.

"Ninth: The following Counties shall compose the Ninth District, to wit: Gonzales, Matagorda, Brazoria, Fort Bend, Wharton, Jackson, Victoria, De Witt, Lavaca, Colorado, and Fayette.

"Tenth: The following Counties shall compose the Tenth District, to wit: Hays, Caldwell, Bastrop, Travis, Williamson, Lee, Burleson, Washington, and Austin.

"Eleventh: The following Counties shall compose the Eleventh District, to wit: Robertson, Falls, Bell, McLennan, Coryell, and Milam.

"Twelfth: The following Counties shall compose the Twelfth District, to wit: Tarrant, Johnson, and Ellis.

"Thirteenth: The following Counties shall compose the Thirteenth District, to wit: Wilbarger, Baylor, Clay, Throckmorton, Montague, Jack, Wise, Archer, Wichita, Cooke, Denton, and Young.

"Fourteenth: The following Counties shall compose the Fourteenth District, to wit: Kleberg, Nueces, Kenedy,



Jim Wells, Duval, San Patricio, McMullen, Live Oak, Bee, Aransas, Refugio, Goliad, Karnes, Atascosa, Wilson, Guadalupe, Comal, Brooks, and Calhoun.

"Fifteenth: The following Counties shall compose the Fifteenth District, to wit: Cameron, Hidalgo, Willacy, Starr, Zapata, Webb, Jim Hogg, Dimmit, Maverick, Zavala, Frio, and La Salle.

"Sixteenth: The following Counties shall compose the Sixteenth District, to wit: El Paso, Hudspeth, Culberson, Reeves, Loving, Winkler, Ector, Midland, Glasscock, Ward, Crane, Upton, Reagan, Jeff Davis, Presidio, Brewster, Pecos, Terrell, Crockett, Martin, Val Verde, Andrews, and Howard.

"Seventeenth: The following Counties shall compose the Seventeenth District, to wit: Nolan, Jones, Taylor, Shackelford, Callahan, Stephens, Eastland, Parker, Hood, Somervell, Erath, Comanche, Palo Pinto, Hamilton, and Bosque.

"Eighteenth: The following Counties shall compose the Eighteenth District, to wit: Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parker, Castro, Swisher, Briscoe, Hall, Childress, and Hardeman.

"Nineteenth: The following Counties shall compose the Nineteenth District, to wit: Bailey, Lamb, Hale, Cochran, Hockley, Floyd, Motley, Cottle, Foard, Lubbock, Crosby, Dickens, King, Knox, Yoakum, Terry, Lynn, Garza, Kent, Stonewall, Haskell, Gaines, Dawson, Borden, Scurry, Mitchell, and Fisher.

"Twentieth: The following Counties shall compose the Twentieth District, to wit: Sterling, Coke, Runnels, Coleman, Irion, Tom Green, Concho, San Saba, McCullough, Mills, Lampasas, Schleicher, Menard, Mason, Llano, Burnet, Kimble, Gillespie, Real, Blanco, Kerr, Kendall, Bandera, Sutton, Edwards, Kinney, Uvalde, Medina, and Brown.

"Twenty-first: The following County shall compose the Twenty-first District, to wit: Bexar.

"Sec. 2. Nothing in this Act shall in anywise affect the tenure in office of the present delegation in Congress of Texas, but this Act shall take effect for the general election in 1934, and the Congressmen shall be elected from each of said districts for 1934, and thereafter until this law shall have been changed by the Legislature of this State.

"Sec. 3. All laws and parts of laws in conflict with this Act be, and the same are hereby, repealed.

"Sec. 4. The great importance of the legislation proposed and the necessity of providing appropriate districts for the additional allotment of memberships in the Congress create an emergency and an imperative public necessity which requires that the constitutional rule, requiring bills to be read on three several days, be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Burns moved the previous question on the pending amendment and the bill, and the main question was ordered.

Mr. Moffett moved to reconsider the vote by which the previous question was ordered.

Mr. Parkhouse moved to table the motion to reconsider.

The motion to table was lost by the following vote:

#### Yeas—52

Alexander.	McDougald.
Anderson	Moore.
of Bexar.	Morse.
Burns.	Nicholson.
Butler.	Palmer.
Cathey.	Parkhouse.
Caven.	Ramsey.
Clayton.	Ray.
Colson.	Reader.
Daniel.	Reed of Dallas.
Dunagan.	Riddle.
Greathouse.	Roberts.
Hankamer.	Ross.
Head.	Savage.
Hill of Brazoria.	Scarborough.
Hill of Webb.	Scott.
Holekamp.	Shannon.
Jackson.	Shults.
Jones of Runnels.	Stanfield.
Kyle of Palo Pinto.	Steward.
Lindsey.	Sullivan.
Lotief.	Tarwater.
Mackay.	Thomas.

Tillery.  
Van Zandt.  
Vaughan.  
Walker.

Wells.  
West.  
Winningham.

## Nays—71

Adamson.  
Aikin.  
Alsup.  
Anderson  
of Johnson.  
Baker.  
Barrett.  
Barron.  
Beck.  
Bourne.  
Bradley.  
Calvert.  
Camp.  
Canon.  
Chastain.  
Cowley.  
Crossley.  
Davidson.  
Dean.  
Devall.  
Duvall.  
Fain.  
Few.  
Fisher.  
Ford.  
Glass.  
Golson.  
Goodman.  
Graves.  
Haag.  
Harman.  
Harris.  
Harrison.  
Hartzog.  
Hicks.  
Hodges.  
Hoskins.

Huddleston.  
Hughes.  
James.  
Johnson  
of Anderson.  
Jones of Shelby.  
Kayton.  
Laird.  
Latham.  
Lemens.  
Magee.  
McClain.  
McKee.  
Merritt.  
Mitcham.  
Moffett.  
Morrison.  
Munson.  
Patterson.  
Pavlica.  
Pope.  
Puryear.  
Ratliff.  
Reed of Bowie.  
Renfro.  
Rogers of Hunt.  
Rollins.  
Russell.  
Stinson.  
Stovall.  
Tennyson.  
Townsend.  
Turlington.  
Wagstaff.  
Wood.  
Young.

## Absent

Bedford.  
Coombes.  
Dunlap.  
Dwyer.  
Engelhard.  
Fuchs.  
Good.  
Griffith.  
Hester.  
Holland.  
Holloway.  
Hunt.  
Hyder.

Jefferson.  
Jones of Atascosa.  
Kyle of Hays.  
Leonard.  
Long.  
Mathis.  
McCullough.  
McGregor.  
Metcalf.  
Rogers  
of Ochiltree.  
Smith.  
Weinert.

## Absent—Excused

Johnson  
of Dimmit.

Question recurring on the motion to reconsider the vote by which the previous question was ordered, it prevailed by the following vote:

## Yeas—73

Adamson.  
Aikin.  
Alsup.  
Anderson  
of Johnson.  
Baker.  
Barrett.  
Beck.  
Bourne.  
Calvert.  
Camp.  
Canon.  
Cathey.  
Chastain.  
Cowley.  
Crossley.  
Davidson.  
Dean.  
Devall.  
Duvall.  
Fain.  
Few.  
Ford.  
Glass.  
Golson.  
Goodman.  
Graves.  
Haag.  
Harman.  
Head.  
Hicks.  
Hodges.  
Holland.  
Hoskins.  
Huddleston.  
Hughes.  
Jackson.  
James.

Johnson  
of Anderson.  
Jones of Atascosa.  
Jones of Shelby.  
Kayton.  
Laird.  
Latham.  
Lemens.  
Leonard.  
Mackay.  
Mathis.  
McClain.  
McKee.  
Merritt.  
Mitcham.  
Moffett.  
Morrison.  
Munson.  
Patterson.  
Pavlica.  
Pope.  
Puryear.  
Ratliff.  
Reader.  
Reed of Bowie.  
Riddle.  
Rogers of Hunt.  
Rollins.  
Russell.  
Shannon.  
Stanfield.  
Stovall.  
Thomas.  
Townsend.  
Turlington.  
Wagstaff.  
Wood.

## Nays—47

Alexander.  
Anderson  
of Bexar.  
Barron.  
Bedford.  
Bradley.  
Burns.  
Butler.  
Clayton.  
Colson.  
Daniel.  
Dunagan.  
Fisher.  
Hankamer.  
Harris.  
Hartzog.  
Hill of Brazoria.  
Holekamp.  
Hunt.  
Jones of Runnels.  
Kyle of Palo Pinto.  
Lindsey.  
Lotief.  
Magee.

McDougald.  
Moore.  
Morse.  
Nicholson.  
Palmer.  
Parkhouse.  
Ramsey.  
Reed of Dallas.  
Roberts.  
Ross.  
Savage.  
Scarborough.  
Scott.  
Shults.  
Steward.  
Sullivant.  
Tarwater.  
Tennyson.  
Tillery.  
Van Zandt.  
Walker.  
Wells.  
Winningham.  
Young.

## Absent

Caven.	Kyle of Hays.
Coombes.	Long.
Dunlap.	McCullough.
Dwyer.	McGregor.
Engelhard.	Metcalf.
Fuchs.	Ray.
Good.	Renfro.
Greathouse.	Rogers
Griffith.	of Ochiltree.
Harrison.	Smith.
Hester.	Stinson.
Hill of Webb.	Vaughan.
Holloway.	Weinert.
Hyder.	West.
Jefferson.	

## Absent—Excused

Johnson of Dimmit.

Question then recurring on the motion for the main question, it was lost by the following vote:

## Yeas—47

Alexander.	McDougald.
Anderson	McKee.
of Bexar.	Merritt.
Bedford.	Moore.
Bradley.	Morse.
Burns.	Nicholson.
Butler.	Palmer.
Clayton.	Parkhouse.
Colson.	Ramsey.
Daniel.	Reed of Dallas.
Dunagan.	Riddle.
Duvall.	Roberts.
Fisher.	Ross.
Fuchs.	Scott.
Hankamer.	Shults.
Hill of Brazoria.	Steward.
Jackson.	Sullivan.
Jones of Runnels.	Tennyson.
Kyle of Palo Pinto.	Thomas.
Lindsey.	Tillery.
Lotief.	Townsend.
Magee.	Van Zandt.
Mackay.	Walker.
Mathis.	Winningham.

## Nays—73

Adamson.	Chastain.
Aikin.	Cowley.
Alsup.	Davidson.
Anderson	Dean.
of Johnson.	Devall.
Baker.	Dunlap.
Barrett.	Fain.
Beck.	Few.
Bourne.	Ford.
Calvert.	Glass.
Camp.	Golson.
Canon.	Goodman.
Cathey.	Graves.

Haag.	Moffett.
Harman.	Morrison.
Harris.	Munson.
Harrison.	Patterson.
Hartzog.	Pavlica.
Head.	Pope.
Hicks.	Puryear.
Hodges.	Ratliff.
Holekamp.	Reader.
Hoskins.	Reed of Bowie.
Hughes.	Renfro.
Hunt.	Rogers of Hunt.
James.	Rollins.
Johnson	Russell.
of Anderson.	Savage.
Jones of Atascosa.	Scarborough.
Jones of Shelby.	Shannon.
Kayton.	Stanfield.
Laird.	Stovall.
Latham.	Tarwater.
Lemens.	Turlington.
Leonard.	Wagstaff.
McClain.	Wood.
Metcalf.	Young.
Mitcham.	

## Absent

Barron.	Jefferson.
Caven.	Kyle of Hays.
Coombes.	Long.
Crossley.	McCullough.
Dwyer.	McGregor.
Engelhard.	Ray.
Good.	Rogers
Greathouse.	of Ochiltree.
Griffith.	Smith.
Hester.	Stinson.
Hill of Webb.	Vaughan.
Holland.	Weinert.
Holloway.	Wells.
Huddleston.	West.
Hyder.	

## Absent—Excused

Johnson of Dimmit.

REQUESTING OPINION FROM  
ATTORNEY GENERAL

Mr. Parkhouse offered the following resolution:

Whereas, There is now pending in the House, House Bills Nos. 122 and 123 which seek to define intoxicating liquor; and

Whereas, There is some doubt in the minds of many of the Members of the House of Representatives as to the constitutionality of these bills; now, therefore, be it

Resolved by the House of Representatives, That the Attorney General be asked to give an opinion to the

House on the constitutionality of these bills as soon as may be possible.

Signed—Parkhouse, Head, Anderson of Johnson, Metcalfe, Ray, Turlington, Glass, Wells, McCullough, Hunt, Moffett, Canon, Lemens.

The resolution was read second time.

Mr. McGregor raised a point of order on further consideration of the resolution, on the ground that it violates certain provisions of the Constitution.

Question—Shall the point of order be sustained?

#### RECESS .

On motion of Mr. Anderson of Bexar, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, April 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate Bill No. 85, by the following vote: Yeas, 30; nays, 0.

The Senate has passed

S. B. No. 139, A bill to be entitled "An Act to amend Articles 6229, 6230, 6231, 6232, 6233, 6234, 6235, 6236, 6237, 6238, 6239, 6240, 6241, 6242, and 6243, Title 109, Chapter 2, of the Revised Civil Statutes of 1925, providing pension fund for employes of cities and towns over ten thousand (10,000) inhabitants in the State of Texas, and declaring an emergency."

S. B. No. 355, A bill to be entitled "An Act to amend Article 5561, of the Revised Civil Statutes of the State of Texas, 1925, as amended by the Acts of the Forty-first Legislature, passed at its First Called Session, and found in the published laws of said Session, Chapter 101, pages 243 and 244, providing that officers in lunacy cases shall be allowed the

same fees as are now allowed for similar services performed in misdemeanor cases, and the jurors shall each be allowed a fee of one dollar (\$1), to be paid out of the estate of the defendant, if he have an estate, otherwise by the county, on accounts approved by the county judge, and declaring an emergency."

S. B. No. 488, A bill to be entitled "An Act to amend Senate Bill No. 54, Chapter 17, pages 262 to 265, inclusive, Acts of the Fourth Called Session of the Thirty-fifth Legislature of Texas, approved March 25, 1918, which said Act was amendatory of Sections 12 and 16 of the Special Road Law for Smith County, Texas, passed at the Regular Session of the Thirty-third Legislature and known as Chapter 70, of the Special Laws of said Thirty-third Legislature, and which is also amendatory of Section 3, of Chapter 8, of the Special Road Law of Smith County, Texas, passed at the Regular Session of the Thirty-fourth Legislature, and approved February 16, 1915, so as to further provide that each officer and witness shall be allowed to receive one-half his fees, exclusive of commissions, whenever a county convict shall have discharged the fine and costs adjudged against him in full by work or by work and money, and declaring an emergency."

H. B. No. 231, A bill to be entitled "An Act providing relief (in behalf of owners of lands encumbered by liens) against immediate effect of foreclosures by providing the time when, and the manner in which, judgments in foreclosure and/or judgment in cases of trespass to try title may be satisfied and released and or otherwise may become enforceable by or through writs of possession, etc.; repealing Articles 2219 and 7388, of the Revised Civil Statutes of Texas, 1925; providing for separability of terms and/or application of the Act, and declaring an emergency." (With amendments.)

The Senate has appointed the following committee by authority of Senate Concurrent Resolution No. 20, relative to receiving a portrait of General Henry T. Allen at a Joint Session of the House and Senate on Friday, April 21, 1933: Senators Greer, Sanderford, and Pace.

The Senate has adopted

H. C. R. No. 64, Relative to the suspension of Joint Rule XXIII.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

**BILL LAID ON THE TABLE SUBJECT TO CALL**

On motion of Mr. Beck, House Bill No. 234 was laid on the table subject to call.

**SENATE BILL NO. 195 ON PAS-  
SAGE TO THIRD READING**

The House resumed consideration of pending business, same being Senate Bill No. 195, providing for the re-districting of the State into Congressional Districts; the bill having heretofore been read second time, with committee amendment by Mr. Ramsey, pending.

Mr. Alsup offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195, page 1, line 24, by adding after the word "Shelby," on line 24, the word "Panola," and by striking out the word "Panola," on line 27, of page 1.

The amendment was adopted.

Mr. McClain offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195, pages 1 and 2, by taking Galveston County out of the Seventh Congressional District and placing it in the Ninth Congressional District; extending the Seventh Congressional District to include Houston, Leon, and Madison Counties. The following Counties shall compose the Seventh District, to wit: Grimes, Brazos, Waller, Montgomery, Liberty, Chambers, Hardin, Tyler, Polk, Trinity, Walker, San Jacinto, and Houston.

Mr. Bedford moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—62

Adamson.	Bedford.
Aikin.	Bourne.
Alexander.	Chastain.
Barrett.	Crossley.

Dean.  
Dwyer.  
Engelhard.  
Fain.  
Fisher.  
Ford.  
Fuchs.  
Glass.  
Graves.  
Hankamer.  
Harris.  
Hartzog.  
Hill of Webb.  
Hoskins.  
Jones of Shelby.  
Laird.  
Lemens.  
Leonard.  
Magee.  
Mackay.  
Mathis.  
McDougald.  
McKee.  
Moore.  
Morse.  
Munson.  
Nicholson.

Parkhouse.  
Patterson.  
Pope.  
Ramsey.  
Ratliff.  
Ray.  
Reed of Bowie.  
Reed of Dallas.  
Renfro.  
Riddle.  
Roberts.  
Ross.  
Scarborough.  
Shults.  
Stanfield.  
Sullivant.  
Tarwater.  
Tennyson.  
Tillery.  
Townsend.  
Van Zandt.  
Vaughan.  
Wagstaff.  
Walker.  
Weinert.  
Wood.  
Young.

Nays—41

Alsup.  
Barron.  
Beck.  
Burns.  
Butler.  
Canon.  
Cathey.  
Coombes.  
Daniel.  
Davidson.  
Devall.  
Dunagan.  
Few.  
Golson.  
Good.  
Goodman.  
Griffith.  
Hicks.  
Hodges.  
Holland.  
Holloway.

Hughes.  
Hyder.  
Jackson.  
James.  
Johnson  
of Anderson.  
Latham.  
Lotief.  
McClain.  
Merritt.  
Moffett.  
Morrison.  
Palmer.  
Pavlica.  
Rogers of Hunt.  
Russell.  
Shannon.  
Steward.  
Stovall.  
West.  
Winningham.

Present—Not Voting

Anderson  
of Bexar.  
Anderson  
of Johnson.  
Baker.  
Calvert.  
Clayton.  
Cowley.  
Duvall.  
Greathouse.  
Haag.  
Head.  
Holekamp.  
Hunt.

Jones of Runnels.  
Kayton.  
Kyle of Hays.  
Lindsey.  
Mitcham.  
Purveyar.  
Reader.  
Rogers of Ochiltree.  
Rollins.  
Savage.  
Scott.  
Stinson.  
Turlington.  
Wells.

## Absent

Bradley.	Jefferson.
Camp.	Jones of Atascosa.
Caven.	Kyle of Palo Pinto.
Colson.	Long.
Dunlap.	McCullough.
Harman.	McGregor.
Harrison.	Metcalfe.
Hester.	Smith.
Hill of Brazoria.	Thomas.
Huddleston.	

## Absent—Excused

Johnson  
of Dimmit.

Mr. Hartzog offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195, page 2, line 4, by adding the word "Calhoun," after the word "Colorado," and by striking out the word "Calhoun," in line 22, page 2.

The amendment was adopted.

Mr. Van Zandt offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195 by adding after the word "Upshur," in line 21, on page 1, the following: "Lamar, Delta," and by striking out the words "Lamar, Delta," in line 29, on page 1.

VAN ZANDT,  
ROGERS of Hunt,  
ADAMSON,  
HUNT,  
GOOD,  
AIKIN.

The amendment was adopted.

Mr. Canon offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195 by striking out the word "Lamar" wherever it appears.

The amendment was adopted.

Mr. Morrison offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195, by striking out the word "Cherokee," in lines 26 and 27, and insert in lieu thereof the word "Anderson."

On motion of Mr. Moore, the amendment was tabled.

Mr. Morrison offered the following amendment to the committee amendment:

Amend amendment to Senate Bill No. 195 by striking out the word "Anderson," in line 34, and insert in lieu thereof the word "Cherokee."

Mr. Glass moved to table the amendment.

The motion prevailed.

Mr. Wagstaff offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195 by transferring Hamilton and Bosque Counties from the Seventeenth to the Eleventh District, and transferring Mitchell and Fisher Counties from the Nineteenth District to the Seventeenth.

WAGSTAFF,  
SCOTT,  
HUDDLESTON.

The amendment was adopted.

Mr. Few offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195, page 2, line 13, by striking out the word "Ellis," and adding the word "Ellis," on page 1, line 34, after the word "Navarro."

FEW,  
STOVALL,  
COOMBES,  
WELLS,  
STEWART,  
CALVERT.

The amendment was adopted.

Mr. Moffett offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195, Section 1, by striking the word "Hardeman," in line 1, page 3, from the list of counties composing the Eighteenth District, and by striking "Foard County" from the list of counties composing the Nineteenth District, and adding "Foard and Hardeman Counties" to the list of counties composing the Thirteenth District.

On motion of Mr. Sullivant, the amendment was tabled.

Mr. Townsend offered the following amendment to the committee amendment:

Amend Senate Bill No. 195 as substituted by House Bill No. 224 by striking out the word "Maverick," page 2, line 25, and the word "Val Verde," page 2, line 31, and insert them in line 12, page 3.

The amendment was adopted.

Mr. Laird offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195, page 1, by striking "Tyler County" out of line 38, and inserting it in line 24.

The amendment was adopted.

Mr. Daniel offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195 by striking "Houston County" out of the Sixth District.

Mr. Moore raised a point of order on further consideration of the amendment, on the ground that the amendment, if adopted, would render the bill unconstitutional.

The Speaker sustained the point of order.

Mr. Moffett offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195, Section 1, by striking out the word "Hardeman," from the list of counties composing the Eighteenth District, and by adding the word "Hardeman," to the list of counties composing the Thirteenth District.

On motion of Mr. Wood, the amendment was tabled.

Mr. Jones of Atascosa offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195, by striking out "Frio," in line 25, page 2, and inserting same in line 25, page 2.

The amendment was adopted.

Mr. Tarwater offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195, by striking out "Parmer, Castro, and Swisher Counties," from the Eighteenth District, and adding said Counties to the Nineteenth District.

The amendment was adopted.

Mr. Fain offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195, page 2, "The Twelfth District," lines 12 and 13, by re-arranging to include only the following counties: "Tarrant, Parker, Johnson, Hood, Somervell, and Erath," and strike out in the Seventeenth District, line 34, the words "Parker, Hood, Somervell," and in line 35, the word "Erath."

HEAD,  
FAIN,  
FORD,  
LEMENS.

Mr. Moore moved the previous question on the pending amendments, and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Fain, it was adopted.

Mr. Young offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195 by striking out lines 1, 2, 3, 4, and 5, on page 2, and insert in lieu thereof the following:

"Ninth District: Matagorda, Wharton, Colorado, Lavaca, Jackson, Calhoun, Victoria, De Witt, Brazoria, Gonzales, Goliad, and Refugio," and by striking out the word "Aransas" in line 20, on page 2, and words "Refugio" and "Goliad," in line 21, on page 2, and by inserting the word "Fayette" in line 8, on page 2.

YOUNG,  
HARTZOG.

The amendment was lost.

Mr. Clayton offered the following amendment to the committee amendment:

Amend committee amendment to Senate Bill No. 195 by adding Anderson County to the Third District, and strike it from the Sixth District.

The amendment was adopted.

The committee amendment as amended was then adopted.

Senate Bill No. 195 was then passed to third reading.

#### SENATE BILL NO. 195 ON THIRD READING

Mr. Metcalfe moved that the constitutional rule, requiring bills to be read

on three several days, be suspended, and that Senate Bill No. 195 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—110

Alexander.	Lindsey.
Alsup.	Lotief.
Anderson	Magee.
of Bexar.	Mackay.
Anderson	Mathis.
of Johnson.	McClain.
Baker.	McDougald.
Barron.	McGregor.
Bedford.	Merritt.
Bourne.	Metcalf.
Burns.	Mitcham.
Butler.	Moffett.
Calvert.	Moore.
Canon.	Morse.
Cathey.	Munson.
Chastain.	Nicholson.
Clayton.	Palmer.
Colson.	Parkhouse.
Coombes.	Patterson.
Cowley.	Pavlica.
Daniel.	Pope.
Davidson.	Purveyer.
Dean.	Ramsey.
Dwyer.	Ratliff.
Engelhard.	Ray.
Fain.	Reed of Bowie.
Few.	Reed of Dallas.
Fisher.	Renfro.
Ford.	Roberts.
Fuchs.	Rogers of Hunt.
Glass.	Rogers
Golson.	of Ochiltree.
Good.	Rollins.
Graves.	Ross.
Greathouse.	Savage.
Griffith.	Scarborough.
Hankamer.	Scott.
Harris.	Shannon.
Hill of Brazoria.	Smith.
Hill of Webb.	Stanfield.
Hodges.	Steward.
Holekamp.	Sullivant.
Holland.	Tarwater.
Holloway.	Tennyson.
Hoskins.	Thomas.
Huddleston.	Tillery.
Hughes.	Townsend.
Hyder.	Turlington.
Jackson.	Van Zandt.
James.	Vaughan.
Jones of Atascosa.	Wagstaff.
Jones of Shelby.	Walker.
Kayton.	Weinert.
Kyle of Hays.	Wells.
Kyle of Palo Pinto.	West.
Lemens.	Wood.
Leonard.	

## Nays—9

Adamson.	Hicks.
Aikin.	Jones of Runnels.
Camp.	Morrison.
Goodman.	Young.
Hartzog.	

## Present—Not Voting

Devall.	Jefferson.
Hunt.	Stinson.

## Absent

Barrett.	Johnson
Beck.	of Anderson.
Bradley.	Laird.
Caven.	Latham.
Crossley.	Long.
Dunlap.	McCullough.
Dunagan.	McKee.
Duvall.	Reader.
Haag.	Riddle.
Harman.	Russell.
Harrison.	Shults.
Head.	Stovall.
Hester.	Winningham.

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid Senate Bill No. 195 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—103

Alexander.	Few.
Alsup.	Fisher.
Anderson	Ford.
of Johnson.	Fuchs.
Baker.	Golson.
Barron.	Good.
Bedford.	Graves.
Bourne.	Greathouse.
Bradley.	Haag.
Burns.	Hankamer.
Butler.	Harris.
Calvert.	Head.
Canon.	Hill of Brazoria.
Cathey.	Hill of Webb.
Chastain.	Hodges.
Clayton.	Holekamp.
Colson.	Holland.
Cowley.	Hoskins.
Davidson.	Huddleston.
Dean.	Hughes.
Dunlap.	Hyder.
Duvall.	Jackson.
Dwyer.	Jefferson.
Engelhard.	Jones of Atascosa.
Fain.	Jones of Shelby.



Kayton.	Roberts.
Kyle of Hays.	Rogers of Hunt.
Kyle of Palo Pinto.	Rogers
Leonard.	of Ochiltree.
Lindsey.	Rollins.
Lotief.	Ross.
Magee.	Savage.
Mackay.	Scarborough.
McDougald.	Scott.
McGregor.	Shannon.
McKee.	Shults.
Merritt.	Stanfield.
Metcalfe.	Steward.
Mitcham.	Tarwater.
Moore.	Tennyson.
Morse.	Thomas.
Munson.	Tillery.
Nicholson.	Townsend.
Palmer.	Turlington.
Parkhouse.	Van Zandt.
Patterson.	Vaughan.
Pavlica.	Wagstaff.
Pope.	Walker.
Puryear.	Weinert.
Ramsey.	Wells.
Ratliff.	West.
Ray.	Wood.
Renfro.	

## Nays—22

Adamson.	Hicks.
Aikin.	James.
Barrett.	Jones of Runnels.
Beck.	Lemens.
Camp.	McClain.
Coombes.	Moffett.
Daniel.	Morrison.
Devall.	Reed of Bowie.
Glass.	Reed of Dallas.
Goodman.	Sullivant.
Hartzog.	Young.

## Present—Not Voting

Hunt.	Stinson.
-------	----------

## Absent

Anderson	Laird.
of Bexar.	Latham.
Caven.	Long.
Crossley.	Mathis.
Dunagan.	McCullough.
Griffith.	Reader.
Harman.	Riddle.
Harrison.	Russell.
Hester.	Smith.
Holloway.	Stovall.
Johnson	Winningham.
of Anderson.	

## Absent—Excused

Johnson
of Dimmit.

## MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read, the following message from the Governor:

Executive Office,  
Austin, Texas, April 13, 1933.

To the Forty-third Legislature:

At the request of Hon. Rolland Bradley, Representative from the Nineteenth District of Texas, I submit herewith, as an emergency measure, the attached bill, being "An Act to repeal Articles 153 and 155, of Title 4, Chapter 7, of the Penal Code of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, 1925, and declaring an emergency."

Respectfully,  
MIRIAM A. FERGUSON,  
Governor of Texas.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, April 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 88, A bill to be entitled "An Act to provide for liens in favor of hospitals and other institutions furnishing care, treatment, and maintenance of persons injured in accidents, upon the rights of action, claims, and demands of such injured persons against other persons or corporations for damages on account of negligence causing the injuries, and upon the proceeds of the settlements of any such claims or demands, and declaring an emergency." (With amendments.)

The Senate has granted the request of the House for a conference committee on House Bill No. 28. The following have been appointed on the part of the Senate: Senators Small, Collie, Patton, Poage, DeBerry.

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

## HOUSE BILL NO. 88 WITH SENATE AMENDMENTS

Mr. Butler called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 88, A bill to be entitled "An Act to provide for liens in favor of hospitals and other institutions furnishing care, treatment, and maintenance of persons injured in accidents, upon the rights of action, claims, and demands of such injured persons against other persons or corporations for damages on account of negligence causing the injuries, and upon the proceeds of the settlements of any such claims or demands, and declaring an emergency."

The Speaker laid the bill before the House, with the Senate amendments.

On motion of Mr. Butler, the House concurred in the Senate amendments by the following vote:

## Yeas—106

Adamson.	Holekamp.
Aikin.	Holland.
Alexander.	Holloway.
Alsup.	Hoskins.
Anderson	Hunt.
of Bexar.	Hyder.
Anderson	Jackson.
of Johnson.	James.
Baker.	Jefferson.
Barron.	Jones of Atascosa.
Beck.	Jones of Runnels.
Bedford.	Jones of Shelby.
Bradley.	Kayton.
Butler.	Kyle of Palo Pinto.
Calvert.	Laird.
Camp.	Leonard.
Canon.	Lindsey.
Cathey.	Lotief.
Chastain.	Magee.
Clayton.	Mackay.
Colson.	Mathis.
Coombes.	McClain.
Cowley.	McGregor.
Davidson.	Merritt.
Devall.	Mitcham.
Dunlap.	Moffett.
Duvall.	Moore.
Dwyer.	Morse.
Engelhard.	Munson.
Few.	Nicholson.
Fisher.	Palmer.
Fuchs.	Parkhouse.
Glass.	Pope.
Golson.	Ray.
Goodman.	Reed of Dallas.
Graves.	Renfro.
Greathouse.	Roberts.
Griffith.	Rogers of Hunt.
Hankamer.	Rogers
Harris.	of Ochiltree.
Hartzog.	Ross.
Head.	Russell.
Hill of Brazoria.	Savage.
Hill of Webb.	Scarborough.
Hodges.	Scott.

Shannon.	Turlington.
Stanfield.	Vaughan.
Steward.	Wagstaff.
Stinson.	Walker.
Stovall.	Weinert.
Tarwater.	Wells.
Tennyson.	West.
Thomas.	Wood.
Tillery.	Young.
Townsend.	

## Nays—18

Barrett.	Kyle of Hays.
Bourne.	Lemens.
Burns.	McDougald.
Daniel.	McKee.
Dean.	Puryear.
Fain.	Ramsey.
Ford.	Ratliff.
Hicks.	Reed of Bowie.
Hughes.	Rollins.

## Absent

Caven.	McCullough.
Crossley.	Metcalfe.
Dunagan.	Morrison.
Good.	Patterson.
Haag.	Pavlica.
Harman.	Reader.
Harrison.	Riddle.
Hester.	Shults.
Huddleston.	Smith.
Johnson	Sullivan.
of Anderson.	Van Zandt.
Latham.	Winningham.
Long.	

## Absent—Excused

Johnson  
of Dimmit.

SENATE BILL NO. 263 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 263, A bill to be entitled "An Act authorizing the State Forester, under the general supervision of the Board of Directors of Agricultural and Mechanical College to co-operate and execute agreements with the Federal Forest Service, other Federal agencies, and timberland owners, involving co-operative forest protection and development projects when such action is required by Federal statute or policy; and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 263 ON THIRD  
READING

Mr. Butler moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate bill No. 263 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Aikin.	James.
Alexander.	Jones of Atascosa.
Alsup.	Jones of Runnels.
Anderson	Jones of Shelby.
of Bexar.	Kayton.
Anderson	Kyle of Hays.
of Johnson.	Kyle of Palo Pinto.
Baker.	Laird.
Barrett.	Lemens.
Barron.	Leonard.
Bourne.	Lindsey.
Bradley.	Lotief.
Burns.	Magee.
Butler.	Mackay.
Canon.	McClain.
Cathey.	McDougald.
Caven.	Merritt.
Chastain.	Mitcham.
Clayton.	Moffett.
Colson.	Moore.
Coombes.	Morrison.
Cowley.	Morse.
Crossley.	Munson.
Daniel.	Nicholson.
Davidson.	Palmer.
Dean.	Patterson.
Devall.	Puryear.
Dunlap.	Ratliff.
Duvall.	Reed of Bowie.
Dwyer.	Reed of Dallas.
Fain.	Renfro.
Few.	Roberts.
Fisher.	Rogers of Hunt.
Ford.	Rollins.
Fuchs.	Ross.
Glass.	Russell.
Golson.	Savage.
Graves.	Scarborough.
Greathouse.	Shannon.
Griffith.	Shults.
Hankamer.	Stanfield.
Harris.	Steward.
Head.	Stinson.
Hill of Brazoria.	Sullivant.
Hill of Webb.	Tarwater.
Hodges.	Tennyson.
Holekamp.	Thomas.
Holland.	Tillery.
Hoskins.	Townsend.
Hughes.	Turlington.
Hunt.	Van Zandt.
Hyder.	Vaughan.
Jackson.	Wagstaff.

Walker.  
Weinert.  
Wells.

West.  
Wood.  
Young.

## Absent

Adamson.	Latham.
Beck.	Long.
Bedford.	Mathis.
Calvert.	McCullough.
Camp.	McGregor.
Dunagan.	McKee.
Engelhard.	Metcalfe.
Good.	Parkhouse.
Goodman.	Pavlica.
Haag.	Pope.
Harman.	Ramsey.
Harrison.	Ray.
Hartzog.	Reader.
Hester.	Riddle.
Hicks.	Rogers
Holloway.	of Ochiltree.
Huddleston.	Scott.
Jefferson.	Smith.
Johnson	Stovall.
of Anderson.	Winningham.

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid Senate Bill No. 263 before the House on its third reading and final passage.

The bill was read third time, and was passed.

Mr. Scarborough moved to reconsider the vote by which the bill was passed.

The motion to reconsider prevailed.

Senate Bill No. 263 was then passed by the following vote:

Yeas—120

Adamson.	Colson.
Aikin.	Coombes.
Alexander.	Cowley.
Alsup.	Crossley.
Anderson	Daniel.
of Bexar.	Davidson.
Anderson	Dean.
of Johnson.	Devall.
Baker.	Dunlap.
Barrett.	Engelhard.
Barron.	Fain.
Bourne.	Few.
Bradley.	Fisher.
Burns.	Ford.
Butler.	Glass.
Camp.	Golson.
Canon.	Goodman.
Cathey.	Graves.
Chastain.	Greathouse.
Clayton.	Haag.

Hankamer.	Munson.
Harris.	Nicholson.
Head.	Palmer.
Hill of Brazoria.	Parkhouse.
Hill of Webb.	Patterson.
Hodges.	Pavlica.
Holekamp.	Pope.
Holland.	Puryear.
Hoskins.	Ramsey.
Huddleston.	Ratliff.
Hughes.	Ray.
Hyder.	Reader.
Jackson.	Reed of Bowie.
James.	Reed of Dallas.
Jefferson.	Renfro.
Jones of Atascosa.	Roberts.
Jones of Runnels.	Rogers of Hunt.
Jones of Shelby.	Rollins.
Kayton.	Ross.
Kyle of Hays.	Russell.
Kyle of Palo Pinto.	Savage.
Laird.	Scarborough.
Latham.	Scott.
Lemens.	Shannon.
Leonard.	Shults.
Lindsey.	Stanfield.
Lotief.	Steward.
Magee.	Stinson.
Mackay.	Stovall.
Mathis.	Tarwater.
McClain.	Tennyson.
McCullough.	Thomas.
McDougald.	Tillery.
McGregor.	Townsend.
McKee.	Turlington.
Merritt.	Vaughan.
Metcalfe.	Walker.
Mitcham.	Weinert.
Moore.	Wells.
Morrison.	Wood.
Morse.	Young.

## Absent

Beck.	Holloway.
Bedford.	Hunt.
Calvert.	Johnson
Caven.	of Anderson.
Dunagan.	Long.
Duvall.	Moffett.
Dwyer.	Riddle.
Fuchs.	Rogers of Ochiltree.
Good.	Smith.
Griffith.	Sullivant.
Harman.	Van Zandt.
Harrison.	Wagstaff.
Hartzog.	West.
Hester.	Winningham.
Hicks.	

## Absent—Excused

Johnson of Dimmit.

SENATE BILL NO. 435 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 435, A bill to be entitled "An Act amending Article 1027, Code of Criminal Procedure, as amended by Chapter 205, General Laws, Regular Session, Forty-second Legislature, so as to provide that no officer shall collect any fees from the State of Texas in any case, except murder, where a defendant may, under the indictment, be convicted of a misdemeanor or a felony with punishment assessed at a fine, jail sentence, or both such fine and imprisonment in jail, until after the case has been finally disposed of; etc., and declaring an emergency."

The bill was read second time.

Mr. Ramsey offered the following amendment to the bill:

Amend Senate Bill No. 435, page 2, line 10, by adding the following: "Provided this shall not apply to examining trial fees to officers."

RAMSEY,  
BURNS,  
DANIEL.

The amendment was adopted.

Senate Bill No. 435 was then passed to third reading.

SENATE BILL NO. 435 ON THIRD  
READING

Mr. Walker moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 435 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107

Adamson.	Cowley.
Aikin.	Crossley.
Alsup.	Daniel.
Anderson	Davidson.
of Bexar.	Dean.
Anderson	Devall.
of Johnson.	Dunlap.
Baker.	Engelhard.
Barrett.	Fain.
Barron.	Few.
Bourne.	Fisher.
Bradley.	Fuchs.
Burns.	Glass.
Butler.	Golson.
Camp.	Goodman.
Canon.	Greathouse.
Caven.	Griffith.
Chastain.	Haag.
Clayton.	Harris.
Colson.	Head.
Coombes.	Hill of Brazoria.

Hill of Webb.	Pope.
Hodges.	Puryear.
Holekamp.	Ratliff.
Hoskins.	Ray.
Huddleston.	Reader.
Hughes.	Reed of Bowie.
Hyder.	Reed of Dallas.
James.	Roberts.
Jones of Atascosa.	Rogers of Hunt.
Jones of Runnels.	Rollins.
Jones of Shelby.	Ross.
Kayton.	Russell.
Kyle of Hays.	Savage.
Kyle of Palo Pinto.	Scarborough.
Latham.	Scott.
Lemens.	Shannon.
Leonard.	Shults.
Lindsey.	Steward.
Lotief.	Stinson.
Magee.	Stovall.
Mackay.	Sullivan.
Mathis.	Tarwater.
McClain.	Tennyson.
McCullough.	Tillery.
McKee.	Townsend.
Merritt.	Turlington.
Metcalf.	Vaughan.
Mitcham.	Wagstaff.
Moore.	Walker.
Morrison.	Weinert.
Morse.	Wells.
Munson.	Wood.
Nicholson.	Young.
Pavlica.	

## Absent

Alexander.	Johnson
Beck.	of Anderson.
Bedford.	Laird.
Calvert.	Long.
Cathey.	McDougald.
Dunagan.	McGregor.
Duvall.	Moffett.
Dwyer.	Palmer.
Ford.	Parkhouse.
Good.	Patterson.
Graves.	Ramsey.
Hankamer.	Renfro.
Harman.	Riddle.
Harrison.	Rogers
Hartzog.	of Ochiltree.
Hester.	Smith.
Hicks.	Stanfield.
Holland.	Thomas.
Holloway.	Van Zandt.
Hunt.	West.
Jackson.	Winningham.
Jefferson.	

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid Senate Bill No. 435 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—109

Adamson.	Kayton.
Aikin.	Kyle of Hays.
Alexander.	Kyle of Palo Pinto.
Alsup.	Laird.
Anderson	Lemens.
of Bexar.	Leonard.
Anderson	Lindsey.
of Johnson.	Lotief.
Baker.	Magee.
Barrett.	Mackay.
Barron.	McClain.
Bourne.	McCullough.
Bradley.	McDougald.
Burns.	McGregor.
Butler.	Merritt.
Camp.	Metcalf.
Canon.	Mitcham.
Cathey.	Moore.
Chastain.	Morrison.
Clayton.	Morse.
Colson.	Munson.
Crossley.	Nicholson.
Daniel.	Palmer.
Davidson.	Pavlica.
Dean.	Puryear.
Devall.	Ratliff.
Dunlap.	Ray.
Dunagan.	Reader.
Engelhard.	Reed of Bowie.
Fain.	Reed of Dallas.
Fisher.	Renfro.
Ford.	Roberts.
Glass.	Rogers of Hunt.
Golson.	Rollins.
Goodman.	Ross.
Graves.	Russell.
Greathouse.	Savage.
Griffith.	Scott.
Haag.	Shannon.
Harris.	Shults.
Head.	Stanfield.
Hill of Brazoria.	Steward.
Hill of Webb.	Stovall.
Hodges.	Tarwater.
Holekamp.	Tennyson.
Holland.	Thomas.
Hoskins.	Tillery.
Huddleston.	Townsend.
Hughes.	Turlington.
Hyder.	Vaughan.
Jackson.	Wagstaff.
James.	Walker.
Jefferson.	Wells.
Jones of Atascosa.	Wood.
Jones of Runnels.	Young.
Jones of Shelby.	

## Nays—2

Coombes.	Scarborough.
----------	--------------

## Absent

Beck.	Bedford.
-------	----------

Calvert.	Long.
Caven.	Mathis.
Cowley.	McKee.
Duvall.	Moffett.
Dwyer.	Parkhouse.
Few.	Patterson.
Fuchs.	Pope.
Good.	Ramsey.
Hankamer.	Riddle.
Harman.	Rogers
Harrison.	of Ochiltree.
Hartzog.	Smith.
Hester.	Stinson.
Hicks.	Sullivant.
Holloway.	Van Zandt.
Hunt.	Weinert.
Johnson	West.
of Anderson.	Winningham.
Latham.	

Absent—Excused

Johnson  
of Dimmit.

#### SENATE BILL NO. 436 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 436, A bill to be entitled "An Act amending Article 273, Code of Criminal Procedure of the State of Texas for 1925, by adding thereto Subsection 6, providing that the bail bond of an accused shall be conditioned that the principal and sureties will pay all expenses incurred by peace officers in re-arresting the principal in the event the conditions of the bond are violated and he fails to appear before the court or magistrate on the day stated; that such expense shall be in addition to the principal amount of the bond; that the failure of the bond to contain the condition specified herein shall not affect its legality, but that the peace officer shall look only to the bondsmen for expenses incurred by him in re-arresting an accused who has violated the conditions of his bond; and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 436 ON THIRD READING

Mr. Walker moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 436 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Adamson.	Laird.
Aikin.	Latham.
Alexander.	Lemens.
Alsup.	Leonard.
Anderson	Lindsey.
of Bexar.	Lotief.
Anderson	Magee.
of Johnson.	Mackay.
Baker.	Mathis.
Barrett.	McClain.
Barron.	McCullough.
Bourne.	McDougald.
Bradley.	McKee.
Burns.	Merritt.
Camp.	Metcalfe.
Canon.	Mitcham.
Cathey.	Moffett.
Chastain.	Moore.
Clayton.	Morrison.
Colson.	Morse.
Daniel.	Munson.
Davidson.	Nicholson.
Dean.	Palmer.
Devall.	Pavlica.
Dunagan.	Pope.
Duvall.	Ratliff.
Dwyer.	Ray.
Engelhard.	Reader.
Fisher.	Reed of Bowie.
Ford.	Reed of Dallas.
Glass.	Renfro.
Golson.	Roberts.
Graves.	Rogers of Hunt.
Greathouse.	Rollins.
Haag.	Ross.
Hankamer.	Russell.
Harris.	Savage.
Hartzog.	Scarborough.
Head.	Scott.
Hicks.	Shannon.
Hill of Brazoria.	Shults.
Hill of Webb.	Stanfield.
Hodges.	Steward.
Holekamp.	Stinson.
Holland.	Tarwater.
Hoskins.	Tennyson.
Huddleston.	Thomas.
Hughes.	Townsend.
Hyder.	Turlington.
Jackson.	Vaughan.
Jefferson.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Weinert.
Kayton.	Wells.
Kyle of Hays.	Wood.
Kyle of Palo Pinto.	Young.

Nays—9

Coombes.	Jones of Atascosa.
Fain.	Puryear.
Few.	Stovall.
Goodman.	Tillery.
James.	

## Absent

Beck.	Johnson
Bedford.	of Anderson.
Butler.	Long.
Calvert.	McGregor.
Caven.	Parkhouse.
Cowley.	Patterson.
Crossley.	Ramsey.
Dunlap.	Riddle.
Fuchs.	Rogers
Good.	of Ochiltree.
Griffith.	Smith.
Harman.	Sullivan.
Harrison.	Van Zandt.
Hester.	West.
Holloway.	Winningham.
Hunt.	

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid Senate Bill No. 436 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—104

Adamson.	Holekamp.
Aikin.	Holland.
Alexander.	Hoskins.
Alsup.	Huddleston.
Anderson	Hughes.
of Bexar.	Hyder.
Barrett.	Jackson.
Barron.	Jefferson.
Bourne.	Jones of Runnels.
Bradley.	Jones of Shelby.
Burns.	Kayton.
Camp.	Kyle of Hays.
Canon.	Kyle of Palo Pinto.
Chastain.	Laird.
Clayton.	Latham.
Colson.	Lemens.
Cowley.	Leonard.
Crossley.	Lindsey.
Daniel.	Lotief.
Davidson.	Magee.
Dean.	Mackay.
Duvall.	Mathis.
Dwyer.	McClain.
Engelhard.	McCullough.
Fisher.	McDougald.
Glass.	Merritt.
Golson.	Metcalfe.
Graves.	Mitcham.
Greathouse.	Moffett.
Haag.	Moore.
Harris.	Morrison.
Hartzog.	Morse.
Head.	Munson.
Hill of Brazoria.	Nicholson.
Hill of Webb.	Palmer.
Hodges.	Parkhouse.

Patterson.	Shannon.
Pavlica.	Shults.
Pope.	Stanfield.
Ratliff.	Steward.
Ray.	Stinson.
Reader.	Tarwater.
Reed of Bowie.	Tennyson.
Reed of Dallas.	Thomas.
Renfro.	Townsend.
Roberts.	Turlington.
Rogers of Hunt.	Vaughan.
Rollins.	Wagstaff.
Ross.	Walker.
Russell.	Weinert.
Savage.	Wells.
Scarborough.	Young.
Scott.	

## Nays—12

Anderson	James.
of Johnson.	Jones of Atascosa.
Coombes.	McKee.
Devall.	Puryear.
Fain.	Stovall.
Few.	Tillery.
Goodman.	

## Absent

Baker.	Hicks.
Beck.	Holloway.
Bedford.	Hunt.
Butler.	Johnson
Calvert.	of Anderson.
Cathey.	Long.
Caven.	McGregor.
Dunlap.	Ramsey.
Dunagan.	Riddle.
Ford.	Rogers
Fuchs.	of Ochiltree.
Good.	Smith.
Griffith.	Sullivan.
Hankamer.	Van Zandt.
Harman.	West.
Harrison.	Winningham.
Hester.	Wood.

## Absent—Excused

Johnson  
of Dimmit.

## SENATE BILL NO. 437 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 437, A bill to be entitled "An Act amending Article 26, Chapter 2, Title 1, Code of Criminal Procedure, relating to the duties of county attorneys; prescribing their compensation for representing the State, either alone or aiding the district attorney in the prosecution of felony cases, including habeas corpus hearings, where the relator is charged

with an offense of the grade of felony, in the district court; providing that such compensation shall be deducted from the compensation allowed district attorneys; and declaring an emergency."

The bill was read second time, and was passed to third reading.

### SENATE BILL NO. 437 ON THIRD READING

Mr. Walker moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 437 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—96

Adamson.	Hoskins.
Alexander.	Hughes.
Alsup.	Hyder.
Anderson	Jackson.
of Bexar.	Jefferson.
Baker.	Jones of Shelby.
Barrett.	Kyle of Hays.
Barron.	Kyle of Palo Pinto.
Beck.	Latham.
Bourne.	Leonard.
Bradley.	Lindsey.
Burns.	Magee.
Calvert.	McClain.
Canon.	McCullough.
Caven.	McDougald.
Chastain.	McKee.
Clayton.	Merritt.
Colson.	Metcalf.
Coombes.	Mitcham.
Cowley.	Moffett.
Crossley.	Moore.
Daniel.	Morrison.
Devall.	Morse.
Dunlap.	Munson.
Dunagan.	Nicholson.
Duvall.	Palmer.
Dwyer.	Pavlica.
Engelhard.	Pope.
Few.	Puryear.
Fisher.	Ramsey.
Glass.	Reader.
Golson.	Reed of Bowie.
Good.	Reed of Dallas.
Greathouse.	Renfro.
Haag.	Roberts.
Harris.	Rogers of Hunt.
Harrison.	Ross.
Hartzog.	Russell.
Head.	Savage.
Hicks.	Scott.
Hill of Brazoria.	Shannon.
Hill of Webb.	Shults.
Hodges.	Stinson.
Holekamp.	Tennyson.
Holland.	Thomas.

Turlington.	Weinert.
Van Zandt.	Wells.
Wagstaff.	Wood.
Walker.	

Nays—21

Aikin.	Kayton.
Anderson	Mackay.
of Johnson.	Ratliff.
Camp.	Ray.
Davidson.	Rollins.
Dean.	Scarborough.
Fain.	Steward.
Goodman.	Stovall.
Graves.	Tillery.
James.	Townsend.
Jones of Atascosa.	Vaughan.

Absent

Bedford.	Long.
Butler.	Lotief.
Cathey.	Mathis.
Ford.	McGregor.
Fuchs.	Parkhouse.
Griffith.	Patterson.
Hankamer.	Riddle.
Harman.	Rogers
Hester.	of Ochiltree.
Holloway.	Smith.
Huddleston.	Stanfield.
Hunt.	Sullivant.
Johnson	Tarwater.
of Anderson.	West.
Jones of Runnels.	Winningham.
Laird.	Young.
Lemens.	

Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid Senate Bill No. 437 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—101

Adamson.	Coombes.
Alexander.	Cowley.
Alsup.	Daniel.
Anderson	Devall.
of Bexar.	Dunlap.
Baker.	Dunagan.
Barrett.	Engelhard.
Barron.	Few.
Beck.	Fisher.
Bourne.	Ford.
Bradley.	Fuchs.
Burns.	Glass.
Butler.	Golson.
Calvert.	Good.
Caven.	Greathouse.
Chastain.	Haag.
Clayton.	Harris.
Colson.	Hartzog.



Head.	Nicholson.
Hill of Brazoria.	Palmer.
Hill of Webb.	Parkhouse.
Hodges.	Patterson.
Holland.	Pavlica.
Hoskins.	Pope.
Huddleston.	Ramsey.
Hughes.	Reader.
Hyder.	Reed of Dallas.
Jackson.	Renfro.
Jefferson.	Roberts.
Jones of Runnels.	Rogers
Jones of Shelby.	of Ochiltree.
Kayton.	Ross.
Kyle of Hays.	Russell.
Kyle of Palo Pinto.	Savage.
Latham.	Scarborough.
Leonard.	Scott.
Lindsey.	Shannon.
Lotief.	Shults.
Magee.	Stanfield.
McClain.	Stinson.
McCullough.	Sullivant.
McDougald.	Tarwater.
McGregor.	Tennyson.
McKee.	Thomas.
Merritt.	Turlington.
Metcalfe.	Van Zandt.
Mitcham.	Wagstaff.
Moffett.	Weinert.
Moore.	Wells.
Morrison.	Wood.
Morse.	Young.
Munson.	

## Nays—26

Aikin.	Jones of Atascosa.
Anderson	Mackay.
of Johnson.	Puryear.
Camp.	Ratliff.
Canon.	Ray.
Cathey.	Reed of Bowie.
Davidson.	Rogers of Hunt.
Dean.	Rollins.
Fain.	Steward.
Goodman.	Stovall.
Graves.	Tillery.
Harrison.	Townsend.
Hicks.	Vaughan.
James.	

## Absent

Bedford.	Johnson
Crossley.	of Anderson.
Duvall.	Laird.
Dwyer.	Lemens.
Griffith.	Long.
Hankamer.	Mathis.
Harman.	Riddle.
Hester.	Smith.
Holekamp.	Walker.
Holloway.	West.
Hunt.	Winningham.

## Absent—Excused

Johnson  
of Dimmit.

SENATE BILL NO. 438 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 438, A bill to be entitled "An Act to amend Article 47, Chapter 2, Title 1, Code of Criminal Procedure, so as to provide that when a district clerk fails, neglects, or refuses to make any report required of such officer by the Attorney General, that the Attorney General shall notify in writing the Comptroller of Public Accounts of such failure, neglect, or refusal, whereupon the Comptroller shall refuse to issue any warrant which may be due to such district clerk until such report is made, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 438 ON THIRD  
READING

Mr. Walker moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 438 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—111

Adamson.	Engelhard.
Aikin.	Fain.
Alexander.	Few.
Alsup.	Fisher.
Anderson	Ford.
of Bexar.	Glass.
Anderson	Golson.
of Johnson.	Good.
Baker.	Goodman.
Barrett.	Greathouse.
Beck.	Haag.
Bourne.	Harris.
Bradley.	Head.
Burns.	Hicks.
Butler.	Hill of Brazoria.
Calvert.	Hill of Webb.
Canon.	Hodges.
Caven.	Holland.
Chastain.	Hoskins.
Clayton.	Huddleston.
Colson.	Hughes.
Coombes.	Hyder.
Cowley.	Jackson.
Daniel.	James.
Davidson.	Jefferson.
Dean.	Jones of Atascosa.
Devall.	Jones of Runnels.
Dunagan.	Jones of Shelby.
Dwyer.	Kayton.

Kyle of Hays.	Reed of Bowie.
Kyle of Palo Pinto.	Reed of Dallas.
Latham.	Renfro.
Leonard.	Roberts.
Lindsey.	Rogers of Hunt.
Lotief.	Rogers
Magee.	of Ochiltree.
Mackay.	Ross.
McClain.	Russell.
McCullough.	Savage.
McDougald.	Scarborough.
McKee.	Scott.
Merritt.	Shannon.
Mitcham.	Shults.
Moffett.	Steward.
Moore.	Stinson.
Morrison.	Stovall.
Morse.	Sullivant.
Munson.	Tennyson.
Nicholson.	Thomas.
Palmer.	Tillery.
Parkhouse.	Townsend.
Patterson.	Turlington.
Pavlica.	Van Zandt.
Puryear.	Wagstaff.
Ratliff.	Wells.
Ray.	Wood.
Reader.	Young.

## Nays—3

Camp.	Rollins.
Graves.	

## Absent

Barron.	Laird.
Bedford.	Lemens.
Cathey.	Long.
Crossley.	Mathis.
Dunlap.	McGregor.
Duvall.	Metcalf.
Fuchs.	Pope.
Griffith.	Ramsey.
Hankamer.	Riddle.
Harman.	Smith.
Harrison.	Stanfield.
Hartzog.	Tarwater.
Hester.	Vaughan.
Holekamp.	Walker.
Holloway.	Weinert.
Hunt.	West.
Johnson	Winningham.
of Anderson.	

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid Senate Bill No. 438 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—106

Adamson.	Alsup.
----------	--------

Anderson	Lotief.
of Bexar.	Magee.
Anderson	Mackay.
of Johnson.	Mathis.
Baker.	McClain.
Beck.	McCullough.
Bourne.	McDougald.
Bradley.	McKee.
Burns.	Metcalf.
Butler.	Mitcham.
Calvert.	Moffett.
Canon.	Moore.
Cathey.	Morrison.
Chastain.	Morse.
Clayton.	Munson.
Colson.	Nicholson.
Cowley.	Parkhouse.
Daniel.	Pavlica.
Dean.	Pope.
Devall.	Ramsey.
Dunagan.	Ratliff.
Engelhard.	Ray.
Fain.	Reader.
Few.	Reed of Bowie.
Fisher.	Reed of Dallas.
Ford.	Renfro.
Glass.	Roberts.
Golson.	Rogers
Good.	of Ochiltree.
Goodman.	Ross.
Greathouse.	Russell.
Haag.	Savage.
Hankamer.	Scott.
Harris.	Shannon.
Head.	Shults.
Hicks.	Stanfield.
Hill of Brazoria.	Steward.
Hill of Webb.	Stinson.
Hodges.	Stovall.
Hoskins.	Sullivant.
Hughes.	Tarwater.
Hyder.	Tennyson.
Jackson.	Thomas.
James.	Tillery.
Jefferson.	Townsend.
Jones of Atascosa.	Turlington.
Jones of Runnels.	Van Zandt.
Jones of Shelby.	Vaughan.
Kayton.	Wagstaff.
Kyle of Hays.	Walker.
Kyle of Palo Pinto.	Weinert.
Latham.	Wood.
Leonard.	Young.
Lindsey.	

## Nays—8

Aikin.	Patterson.
Camp.	Rogers of Hunt.
Coombes.	Rollins.
Graves.	Scarborough.

## Absent

Alexander.	Caven.
Barrett.	Crossley.
Barron.	Davidson.
Bedford.	Dunlap.

Duvall.	Johnson
Dwyer.	of Anderson.
Fuchs.	Laird.
Griffith.	Lemens.
Harman.	Long.
Harrison.	McGregor.
Hartzog.	Merritt.
Hester.	Palmer.
Holekamp.	Puryear.
Holland.	Riddle.
Holloway.	Smith.
Huddleston.	Wells.
Hunt.	West.
	Winningham.

Absent—Excused

Johnson  
of Dimmit.SENATE BILL NO. 468 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 468, A bill to be entitled "An Act making an appropriation, to be paid out of the General Revenue Fund of the State of Texas, the sum of five hundred and sixty-six dollars and sixty-five cents (\$566.65), not otherwise appropriated, to cover rental for vault space in the Austin National Bank, of Austin, Texas, from March 9, 1933, to August 31, 1933; and declaring an emergency."

The bill was read second time, and was passed to third reading.

MOTION TO TAKE UP SENATE  
BILL NO. 468

Mr. Anderson of Bexar moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 468 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—75

Alexander.	Caven.
Alsup.	Chastain.
Anderson	Clayton.
of Bexar.	Colson.
Anderson	Dunlap.
of Johnson.	Dwyer.
Baker.	Engelhard.
Bourne.	Fisher.
Bradley.	Ford.
Burns.	Glass.
Butler.	Golson.
Calvert.	Goodman.

Haag.	Parkhouse.
Harris.	Patterson.
Hartzog.	Pavlica.
Hicks.	Ramsey.
Hill of Brazoria.	Ratliff.
Hill of Webb.	Ray.
Holland.	Renfro.
Hoskins.	Roberts.
Hughes.	Rogers
Hyder.	of Ochiltree.
Jefferson.	Ross.
Kayton.	Savage.
Kyle of Hays.	Scott.
Leonard.	Shults.
Magee.	Stanfield.
Mackay.	Steward.
Mathis.	Stinson.
McClain.	Sullivant.
McCullough.	Tarwater.
McDougald.	Townsend.
McKee.	Turlington.
Merritt.	Wagstaff.
Metcalfe.	Walker.
Moffett.	Weinert.
Moore.	Wells.
Morse.	Wood.
Nicholson.	Young.

Nays—37

Adamson.	Kyle of Palo Pinto.
Aikin.	Lindsey.
Beck.	Lotief.
Camp.	Morrison.
Canon.	Munson.
Cathey.	Palmer.
Coombes.	Pope.
Cowley.	Puryear.
Daniel.	Reed of Bowie.
Dean.	Reed of Dallas.
Devall.	Rogers of Hunt.
Dunagan.	Rollins.
Fain.	Russell.
Few.	Scarborough.
Good.	Stovall.
Greathouse.	Thomas.
Head.	Tillery.
James.	Vaughan.
Jones of Atascosa.	

Present—Not Voting

Mitcham.

Absent

Barrett.	Hodges.
Barron.	Holekamp.
Bedford.	Holloway.
Crossley.	Huddleston.
Davidson.	Hunt.
Duvall.	Jackson.
Fuchs.	Johnson
Graves.	of Anderson.
Griffith.	Jones of Runnels.
Hankamer.	Jones of Shelby.
Harman.	Laird.
Harrison.	Latham.
Hester.	Lemens.

Long.	Smith.
McGregor.	Tennyson.
Reader.	Van Zandt.
Riddle.	West.
Shannon.	Winningham.

Absent—Excused

Johnson  
of Dimmit.MOTION TO TAKE UP SENATE  
BILL NO. 468

Mr. Anderson of Bexar moved that the constitutional rule, requiring bills to be read on three several days, be suspended and that Senate Bill No. 468 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—85

Adamson.	Jones of Runnels.
Alexander.	Kayton.
Alsup.	Kyle of Hays.
Anderson	Latham.
of Johnson.	Leonard.
Baker.	Lindsey.
Barrett.	Lotief.
Bourne.	Mackay.
Bradley.	Magee.
Burns.	Mathis.
Butler.	McKee.
Calvert.	Merritt.
Caven.	Mitcham.
Chastain.	Moffett.
Clayton.	Moore.
Colson.	Morse.
Cowley.	Nicholson.
Davidson.	Parkhouse.
Dunlap.	Patterson.
Duvall.	Pavlica.
Dwyer.	Pope.
Engelhard.	Ratliff.
Fisher.	Ray.
Ford.	Reader.
Glass.	Renfro.
Golson.	Roberts.
Haag.	Rogers
Hankamer.	of Ochiltree.
Harris.	Rollins.
Hartzog.	Scott.
Head.	Shannon.
Hicks.	Shults.
Hill of Brazoria.	Stanfield.
Hill of Webb.	Steward.
Holland.	Stinson.
Hoskins.	Tarwater.
Huddleston.	Tennyson.
Hughes.	Thomas.
Hyder.	Townsend.
Jackson.	Turlington.
Jefferson.	Wagstaff.

Walker.	Wood.
Weinert.	Young.
Wells.	

Nays—34

Aikin.	Kyle of Palo Pinto.
Beck.	McClain.
Camp.	McCullough.
Canon.	McDougald.
Coombes.	Morrison.
Daniel.	Munson.
Dean.	Puryear.
Devall.	Reed of Bowie.
Dunagan.	Reed of Dallas.
Fain.	Rogers of Hunt.
Few.	Ross.
Good.	Russell.
Graves.	Savage.
Greathouse.	Scarborough.
Hodges.	Stovall.
James.	Tillery.
Jones of Atascosa.	Vaughan.

Present—Not Voting

Holekamp.

Absent

Anderson	Jones of Shelby.
of Bexar.	Laird.
Barron.	Lemens.
Bedford.	Long.
Cathey.	McGregor.
Crossley.	Metcalf.
Fuchs.	Palmer.
Goodman.	Ramsey.
Griffith.	Riddle.
Harman.	Smith.
Harrison.	Sullivant.
Hester.	Van Zandt.
Holloway.	West.
Hunt.	Winningham.
Johnson	
of Anderson.	

Absent—Excused

Johnson  
of Dimmit.SENATE BILL NO. 92 ON THIRD  
READING

Mr. Stanfield moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 92 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103

Adamson.	Anderson
Aikin.	of Johnson.
Alexander.	Baker.
Anderson	Barrett.
of Bexar.	Bedford.

Bourne.	Lindsey.
Bradley.	Lotief.
Burns.	Magee.
Butler.	Mackay.
Calvert.	McClain.
Camp.	McKee.
Canon.	Merritt.
Chastain.	Mitcham.
Colson.	Moffett.
Coombes.	Moore.
Cowley.	Morrison.
Daniel.	Morse.
Davidson.	Munson.
Dean.	Parkhouse.
Devall.	Patterson.
Dunlap.	Pope.
Duvall.	Puryear.
Dwyer.	Ramsey.
Engelhard.	Ratliff.
Fain.	Ray.
Few.	Reed of Bowie.
Fisher.	Reed of Dallas.
Ford.	Roberts.
Glass.	Rogers of Hunt.
Golson.	Rogers
Good.	of Ochiltree.
Graves.	Rollins.
Head.	Ross.
Hicks.	Scarborough.
Hill of Brazoria.	Scott.
Hill of Webb.	Shannon.
Hodges.	Shults.
Holekamp.	Stanfield.
Holland.	Steward.
Hoskins.	Stovall.
Huddleston.	Tarwater.
Hughes.	Tennyson.
Hunt.	Thomas.
Hyder.	Tillery.
James.	Townsend.
Jefferson.	Turlington.
Jones of Atascosa.	Van Zandt.
Jones of Runnels.	Wagstaff.
Kayton.	Walker.
Kyle of Hays.	Weinert.
Kyle of Palo Pinto.	Wells.
Laird.	Wood.
Leonard.	Young.

## Nays—9

Alsup.	Nicholson.
Dunagan.	Pavlica.
Griffith.	Renfro.
Harris.	Russell.
McDougald.	

## Absent

Barron.	Hankamer.
Beck.	Harman.
Cathey.	Harrison.
Caven.	Hartzog.
Clayton.	Hester.
Crossley.	Holloway.
Fuchs.	Jackson.
Goodman.	Johnson
Greathouse.	of Anderson.
Haag.	Jones of Shelby.

Latham.	Riddle.
Lemens.	Savage.
Long.	Smith.
Mathis.	Stinson.
McCullough.	Sullivant.
McGregor.	Vaughan.
Metcalfe.	West.
Palmer.	Winningham.
Reader.	

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid Senate Bill No. 92 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—90

Adamson.	Jones of Atascosa.
Aikin.	Jones of Runnels.
Alexander.	Kayton.
Anderson	Kyle of Hays.
of Bexar.	Kyle of Palo Pinto.
Anderson	Laird.
of Johnson.	Latham.
Baker.	Leonard.
Barrett.	Lindsey.
Bedford.	Lotief.
Burns.	Magee.
Camp.	Mackay.
Canon.	McCullough.
Chastain.	McKee.
Colson.	Merritt.
Coombes.	Mitcham.
Cowley.	Moffett.
Daniel.	Morrison.
Dean.	Pope.
Dunagan.	Puryear.
Duvall.	Ratliff.
Dwyer.	Ray.
Engelhard.	Reed of Bowie.
Fain.	Reed of Dallas.
Few.	Roberts.
Fisher.	Rogers of Hunt.
Ford.	Rogers
Glass.	of Ochiltree.
Golson.	Rollins.
Good.	Savage.
Graves.	Scarborough.
Haag.	Scott.
Hankamer.	Shannon.
Hartzog.	Shults.
Head.	Stanfield.
Hill of Brazoria.	Stinson.
Hill of Webb.	Stovall.
Hodges.	Tarwater.
Holekamp.	Tennyson.
Holland.	Thomas.
Hoskins.	Tillery.
Huddleston.	Townsend.
Hughes.	Van Zandt.
James.	Wagstaff.
Jefferson.	Walker.

Weinert.  
Wells.

Wood.

Nays—25

Alsup.  
Bourne.  
Bradley.  
Butler.  
Cathey.  
Greathouse.  
Griffith.  
Harris.  
Hicks.  
Hunt.  
Jackson.  
Mathis.  
McDougald.

Morse.  
Nicholson.  
Parkhouse.  
Patterson.  
Pavlica.  
Renfro.  
Ross.  
Russell.  
Steward.  
Turlington.  
Vaughan.  
Young.

Present—Not Voting

Devall.

McClain.

Absent

Barron.  
Beck.  
Calvert.  
Caven.  
Clayton.  
Crossley.  
Davidson.  
Dunlap.  
Fuchs.  
Goodman.  
Harman.  
Harrison.  
Hester.  
Holloway.  
Hyder.  
Johnson  
of Anderson.

Jones of Shelby.  
Lemens.  
Long.  
McGregor.  
Metcalf.  
Moore.  
Munson.  
Palmer.  
Ramsey.  
Reader.  
Riddle.  
Smith.  
Sullivant.  
West.  
Winningham.

Absent—Excused

Johnson  
of Dimmit.

#### AUTHORIZING THE CORRECTION OF CERTAIN BILL

Mr. Hankamer offered the following resolution:

H. C. R. No. 65, Authorizing certain correction in House Bill No. 431.

Whereas, House Bill No. 431, has passed the House and Senate; and

Whereas, "1925" was omitted in caption of said bill; therefore, be it

Resolved by the House, the Senate concurring, That the Enrolling Clerk of the House be directed to amend the caption of said bill so as to conform to the body of the bill.

The resolution was read second time, and was adopted.

#### REQUESTING OPINION FROM THE ATTORNEY GENERAL

The House resumed consideration of resolution heretofore offered by Mr. Parkhouse, requesting an opinion from the Attorney General as to constitutionality of certain bill; the resolution having been read second time on Thursday, April 13, with point of order by Mr. McGregor, pending.

The Speaker overruled the pending point of order.

Mr. Anderson of Bexar moved the previous question on the adoption of the resolution, and the main question was ordered.

Question recurring on the resolution, it was lost by the following vote:

Yeas—53

Adamson.	Kyle of Palo Pinto.
Aikin.	Leonard.
Alsup.	Lindsey.
Anderson	Magee.
of Johnson.	McCullough.
Baker.	Merritt.
Barrett.	Metcalf.
Beck.	Mitcham.
Butler.	Moffett.
Camp.	Morrison.
Canon.	Nicholson.
Crossley.	Parkhouse.
Dean.	Puryear.
Fain.	Ray.
Few.	Reed of Bowie.
Fisher.	Rollins.
Glass.	Savage.
Golson.	Scott.
Graves.	Stovall.
Harris.	Sullivant.
Head.	Tarwater.
Hodges.	Townsend.
Hughes.	Turlington.
Hunt.	Van Zandt.
Hyder.	Wagstaff.
Jefferson.	Wells.
Jones of Runnels.	Wood.

Nays—76

Anderson	Devall.
of Bexar.	Dunlap.
Bedford.	Dunagan.
Bourne.	Duvall.
Bradley.	Dwyer.
Burns.	Engelhard.
Cathey.	Ford.
Caven.	Good.
Chastain.	Goodman.
Clayton.	Greathouse.
Coombes.	Griffith.
Cowley.	Haag.
Daniel.	Hankamer.
Davidson.	Harrison.

Hartzog.	Pavlica.
Hicks.	Pope.
Hill of Brazoria.	Ratliff.
Hill of Webb.	Reader.
Holekamp.	Reed of Dallas.
Holland.	Renfro.
Hoskins.	Roberts.
Huddleston.	Rogers of Hunt.
Jackson.	Rogers
James.	of Ochiltree.
Jones of Atascosa.	Ross.
Kayton.	Russell.
Kyle of Hays.	Scarborough.
Latham.	Shannon.
Lotief.	Shults.
Mackay.	Stanfield.
Mathis.	Steward.
McClain.	Stinson.
McDougald.	Tennyson.
McGregor.	Tillery.
McKee.	Vaughan.
Moore.	Walker.
Morse.	Weinert.
Palmer.	West.
Patterson.	Young.

Present—Not Voting

Thomas.

Absent

Alexander.	Jones of Shelby.
Barron.	Laird.
Calvert.	Lemens.
Colson.	Long.
Fuchs.	Munson.
Harman.	Ramsey.
Hester.	Riddle.
Holloway.	Smith.
Johnson	Winningham.
of Anderson.	

Absent—Excused

Johnson  
of Dimmit.

Mr. Anderson of Bexar moved to reconsider the vote by which the resolution was lost and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 623 ON SECOND READING

On motion of Mr. West, by unanimous consent, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 623, A bill to be entitled "An Act to further protect the purchasers and consumers of fruits and vegetables, by prescribing methods by which such fruits and vegetables may be identified as to grade and pack; and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Leonard offered the following committee amendments to the bill:

(1)

Amend House Bill No. 623 by striking out all below the enacting clause, and substituting therefor the following:

#### "Statement of Purposes

"Section 1. In order to provide the means whereby producers of certain citrus fruit, and all interested parties, may secure prompt and efficient inspection and classification of grades of fruit at reasonable cost, and because it is hereby recognized that the standardization of the citrus fruit industry by the proper grading and classification of citrus fruit by prompt and efficient inspection under competent authority is beneficial alike to grower, shipper, carrier, receiver, and consumer, in that it furnishes the grower and the shipper prima facie evidence of quality and condition of products, it guarantees the carrier and the receiver of quality of products carried and received by them, and assures the ultimate consumer of the quality of the products purchased, this Act is passed.

"Sec. 2. The inspection in the State of Texas of all grapefruit and oranges, and the grades and classifications thereof, shall be under the direction of the Commissioner of Agriculture of the State of Texas, hereinafter known as the 'Commissioner.'

#### "Establish Regulations and Grades

"Sec. 3. The Commissioner of Agriculture of the State of Texas is hereby empowered and directed to enter into co-operative agreements with the United States Department of Agriculture, providing for the inspection of certain citrus fruits, and under the terms of said agreements the Commissioner of Agriculture shall adopt the official United States standards for grapefruit and oranges, as applied to the State of Texas, except as to the term 'unclassified,' for which the term 'culls' shall be substituted. The inspection shall be conducted under the policies outlined by the United States Department of Agriculture under said co-operative agreements. The Commissioner is empowered to

establish and enforce such grades, grading rules, and regulations in addition to those established by this Act, as he may deem necessary on citrus fruit, which shall not conflict with any provisions of this Act, after a thorough investigation has been made of the needs of the particular citrus fruit for which grades, grading rules, and regulations are contemplated. The Commissioner shall cause to be published in one publication of general circulation in each county affected by this Act, the rules and regulations promulgated by him under this Act. Such publications shall be once each week for the three weeks prior to September 1. Grades established in accordance with provisions of this Act shall not be modified during the current shipping season of the citrus fruit for which they are established, except as hereinafter provided.

#### "Appeal to Change Regulations

"Sec. 4. The Commissioner is hereby given power and authority, and it is hereby made his duty, to promulgate rules and regulations relating to the grading, packing, and marking of certain citrus fruits as set out in this Act, and it is hereby made his duty to enforce same. The Commissioner shall cause this to be published in some newspaper of general circulation in the territory affected by the rules and regulations which he has promulgated. Only in case of protest, hearings shall be conducted at places and at times to be determined by the Commissioner, or his agent, after publications of rules and regulations have been promulgated at which all interested parties will have a right to be heard. After such publication and public hearing, the rules and regulations shall be final, unless written protest by an interested person or parties shall be made to the Commissioner of Agriculture within thirty days after such rules and regulations have been published. If the Commissioner, after the hearing of protests, refuses to modify such rules and regulations, the interested person or parties shall have the right to appeal to the District Court of Travis County.

#### "Power of Regulations

"Sec. 5. The Commissioner is hereby authorized to promulgate such rules and regulations relative to proper marking of containers, the

issue of certificates of inspection, the tagging of the vehicle of transportation, and such other rules and regulations as he deems necessary for the improvement of the method of marketing of all citrus fruits as provided for in this Act.

#### "Engaging in Trade Prohibited

"Sec. 6. The Commissioner and his agents, inspectors, and employes, are each prohibited, during their respective terms of employment of office, from engaging in this State, either directly or indirectly, or elsewhere, in the business of buying or selling citrus fruits or in dealing in the same on commission.

#### "Grading Made Mandatory

"Sec. 7. Whenever any grades or classifications and standards for citrus fruit become effective under this Act, no person thereafter shall pack for sale, offer for sale, consign for sale, or sell, except as provided in this Act, any such described citrus fruit grown within the State of Texas, to which such grades or classifications and standards are applicable unless such citrus fruits conform with such grades or classifications and standards.

#### "Notice of Time or Shipment

"Sec. 8. It shall be the duty of every person, firm, corporation, association, or other organization affected by this Act to give due and timely notice to the Commissioner, his agents, inspectors, and employes as to the time and place of the loading of citrus fruits subject to the provisions of this Act, or to report to the inspection station nearest to the point of loading. The terms 'to ship,' 'shipper,' and 'shipment' as noted in this Act shall apply to the transportation of citrus fruit by an automobile, truck, trailer, or any other vehicle, as well as the transportation by rail and/or water.

"Sec. 9. Whenever grades or classifications become effective under this Act, it shall be unlawful for any person, firm, corporation, association, or other organization to ship any citrus fruits to which such grades or classifications are applicable (except as provided in Section 15 hereof), unless such citrus fruits have first been inspected by a duly authorized



inspector, who shall issue a certificate of inspection showing the grade, or other classification thereof, and unless such fruit be packed in containers approved by the Commissioner of Agriculture and fruit in each container must be uniformly sized.

#### "Issuance of Certificate of Inspection

"Sec. 10. A certificate designating the classifications of the grade or grades of citrus fruits so subject to compulsory inspection under this Act, or other form evidencing that the official inspection has been made, shall be issued by the inspector and delivered to the shipper. A certificate so issued under this Act shall be accepted in any court of this State as prima facie evidence of the true grade or classifications of such citrus fruit at the time of inspection.

#### "Re-use of Containers

"Sec. 11. No containers or sub-containers of citrus fruits within the meaning of this Act shall bear grade or other designations that are in any way false or misleading. This provision shall be construed to prohibit the future use of any container or sub-container for citrus fruits bearing any markings required by this Act, or any designations of brands, trademarks, quality, or grade, unless all such markings which do not properly and accurately apply to the products repacked or replaced shall first be completely removed, erased, or obliterated. All certificates of previous inspections shall be removed, erased, or obliterated.

#### "Inspection Fees

"Sec. 12. The Commissioner is hereby authorized and empowered to fix and assess, and collect and cause to be collected fees for the inspection and classification of grades of citrus fruits subject to the provisions of this Act, and the issuance of certificate of such classifications of grades. The amount of such fees on each different commodity inspected and for each different service rendered on each such commodity under the provisions of this Act, shall be fixed as nearly as possible with reference to the cost of the establishment and maintenance of such service for such particular commodity, and may be different in the case of each different commodity and in the case of each different serv-

ice rendered on each such commodity, but shall in no case exceed the sum of one cent (1c) per container for inspection service performed in a regular packing house operating under a duly issued permit. Any regular grading service, performed outside of a packing shed, shall be for an amount sufficient to cover the actual cost of inspection in accordance with the discretion exercised by the Commissioner of Agriculture. The amount of such fees on the different commodities and for the different services rendered under the provisions of this Act, shall be determined as nearly as may be to the end that the inspection service provided by this Act shall pay for itself out of the annual aggregate amount of such fees collected under the provisions of this Act, together with any appropriations made for the operations of this service, and any other sum properly credited to said service. Such fees shall be paid by the person, firm, corporation, association, or other organization making the shipment at the time such service is rendered. No person employed by the Commissioner shall charge or collect any fees other than the fees in such amounts as shall be authorized and established by the Commissioner of Agriculture.

#### "Disposition of Funds

"Sec. 13. There is hereby created a special fund to be known as the 'Citrus Grading Fund,' which shall be a continuing fund. All fees and other moneys collected under the authority of the provisions of this Act shall be turned over to the Commissioner of Agriculture of the State of Texas, and by him deposited with the State Treasurer and credited to said Fund. The Commissioner is hereby authorized and empowered to use the moneys in said Fund in defraying the expenses arising out of the establishment and maintenance of the inspection service provided by this Act and for no other purpose whatsoever. Warrants in payment for inspection service, provided for in this Act, shall be drawn upon the State Treasury and charged against this Fund.

#### "Deceptive Pack

"Sec. 14. It shall be unlawful to prepare, deliver for shipment, load, ship, transport, offer for sale, or

sell for shipment a deceptive pack, load, arrangement of display of citrus fruits within the meaning of this Act, or to mislabel any container or display of such citrus fruits. A deceptive pack or load is hereby defined as one which is so arranged to conceal the true grade of the citrus fruit within the package or to misrepresent the contents.

**"Sale Without Grading By  
Grower Permitted**

"Sec. 15. No provision of this Act shall be construed to prevent a grower of citrus fruits within the area affected by this Act from selling or delivering the same unpacked and unmarked, or selling his crop in bulk, or any part thereof, or to a packer for grading, packing, or storage within said area. Nor shall any provision of this Act prevent a grower or packer from manufacturing the same into any by-product or from selling the same unpacked or unmarked to any person actually engaged in the operation of a commercial by-products factory for the sole and express purpose of being used in the said area for the manufacture of a by-product for resale. The terms of this Act shall not be applied to any number of containers less than six; such a number is regarded as non-commercial, and not subject to the provisions of this Act.

**"Registration and Use of Brands  
and/or Trade-marks**

"Sec. 16. All fruits packed and offered for shipment under the provisions of this Act shall be marked, showing the proper official grade of the fruit in each container or same may be labeled or stamped with a registered brand or trade-mark. Brands or trade-marks, to be eligible for registration, must be defined by the minimum requirements of one and/or a combination of the official grades designated herein. Such brands or trade-marks and their definitions under the United States grades shall be registered with the Commissioner of Agriculture of the State of Texas. No brands or trade-marks shall be eligible for registration under the terms of this Act which do not meet the minimum requirements of at least United States No. 2, or classifications of this grade.

**"Responsibility of Carriers**

"Sec. 17. It shall be unlawful for any shipper, forwarding company, private, contract, or common carrier to ship, transport, or accept for shipment any citrus fruit within the meaning of this Act unless accompanied by a duly issued certificate of inspection as set out in the provisions of this Act, and any such shipper, forwarding company, private, contract, or common carrier may reserve the right in any receipt, bill of lading, or other writing given to the consignor thereof, to reject for shipment and to return to such consignor or hold at the expense and risk of the latter, all citrus fruits which, upon inspection, are found to be delivered for shipment in violation of any of the provisions of this Act.

**"Commodities Designated Under This  
Act**

"Sec. 18. From and after the effective date of this Act no person, firm, corporation, association, or other organization within the area where this Act applies, namely, the 'citrus zone,' as described in House Bill No. 553, Chapter 350, of Acts of the Regular Session of the Forty-second Legislature of the State of Texas, shall pack for sale, consign for sale, or sell in straight or mixed commercial quantities, that is more than five containers, unless such citrus fruits conform with the provisions of this Act, as to minimum grades or classifications as specified in this Act, and with such additional grades, grading rules, or regulations applicable thereto, as may have heretofore been promulgated by the Commissioner, previous to this Act, and unless such fruits have been duly inspected as provided in this Act.

"Citrus fruit shipped into the State of Texas from any other State or territory shall comply with the grading, packing, and marking regulation which this Act provides for citrus fruit originating in this State.

"Sec. 19. Under the terms of this Act all citrus fruit sold by weight prior to packing to any buyer or shipper shall be weighed by a duly elected or appointed public weigher, who shall be governed in his rights and duties and by the statutes of the State of Texas covering public weighers, as set out in the 1925 Revised Civil Statutes

of the State of Texas, Title 93, Chapter 6, Article 5680, and any amendments thereto.

#### "Penalty for Violations"

"Sec. 20. Any person, firm, corporation, associations, or other organization which violates any provisions of this Act, or wilfully interferes with the Commissioner, his agent, inspectors, or employes in the performance, or on account of the execution of his or their duties as provided by this Act, shall be deemed guilty of a misdemeanor. Any person convicted under this Act shall be punished by a fine of not more than five hundred dollars (\$500), or by imprisonment in the county jail for not more than ninety (90) days, or both such fine and imprisonment, in the discretion of the court.

"Sec. 21. If any section, word, phrase, or clause in this Act be declared unconstitutional for any reason, the remainder of this Act shall not be affected thereby.

"Sec. 22. The fact that the citrus growers and shippers in the 'citrus zone' of the State of Texas will suffer heavy losses unless efficient provision is promptly made for inspection, grading, marking, and weighing of citrus fruit shipped from said zone during the next shipping season creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be suspended, and this Act take effect and be in force from and after its passage, and it is so enacted."

(2)

Amend House Bill No. 623 by striking out all above the enacting clause, and substituting therefor the following:

"H. B. No. 623,

#### A BILL

#### To Be Entitled

An Act authorizing and directing the Commissioner of Agriculture of the State of Texas to enter into co-operative agreements with the United States Department of Agriculture, providing for the inspection of certain citrus fruits, to establish certain minimum grades and standards, and promulgate

rules and regulations relative to the weighing, buying, and selling, packing, marking, and shipping of certain citrus fruits to be shipped within, out of, or into the State of Texas, for the protection of the grower, shipper, carrier, receiver, and consumer of citrus fruits, and to generally promote the interests of the Texas citrus industry, to make it the duty of the Commissioner of Agriculture to enforce the provisions of this act, and to provide fees for services to be performed by the Commissioner of Agriculture of the State of Texas, and to prescribe penalties for violations of this Act, and declaring an emergency."

The amendments were severally adopted.

House Bill No. 623 was then passed to engrossment.

#### HOUSE BILL NO. 623 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 623 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108

Adamson.	Dunlap.
Aikin.	Dunagan.
Alexander.	Dwyer.
Alsup.	Engelhard.
Anderson	Few.
of Bexar.	Fisher.
Anderson	Ford.
of Johnson.	Glass.
Baker.	Golson.
Barron.	Goodman.
Beck.	Graves.
Bedford.	Haag.
Bourne.	Hartzog.
Bradley.	Head.
Burns.	Hicks.
Butler.	Hill of Webb.
Calvert.	Hodges.
Camp.	Holekamp.
Canon.	Holland.
Caven.	Hoskins.
Chastain.	Hughes.
Clayton.	Hunt.
Colson.	Hyder.
Coombes.	Jackson.
Cowley.	James.
Daniel.	Jones of Atascosa.
Dean.	Jones of Runnels.
Devall.	Kayton.

Kyle of Hays.	Renfro.
Kyle of Palo Pinto.	Roberts.
Laird.	Rogers
Latham.	of Ochiltree.
Lemens.	Rollins.
Leonard.	Russell.
Lindsey.	Scarborough.
Lotief.	Scott.
Magee.	Shults.
Mackay.	Stanfield.
McKee.	Steward.
Merritt.	Stinson.
Metcalfe.	Stovall.
Mitcham.	Sullivant.
Moffett.	Tarwater.
Moore.	Tennyson.
Morrison.	Thomas.
Morse.	Tillery.
Nicholson.	Townsend.
Palmer.	Turlington.
Patterson.	Wagstaff.
Pavlica.	Walker.
Puryear.	Weinert.
Ratliff.	Wells.
Ray.	West.
Reader.	Wood.
Reed of Bowie.	Young.
Reed of Dallas.	

## Nays—6

Crossley.	Parkhouse.
Fain.	Rogers of Hunt.
Harris.	Vaughan.

## Absent

Barrett.	Jones of Shelby.
Cathey.	Long.
Davidson.	Mathis.
Duvall.	McClain.
Fuchs.	McCullough.
Good.	McDougald.
Greathouse.	McGregor.
Griffith.	Munson.
Hankamer.	Pope.
Harman.	Ramsey.
Harrison.	Riddle.
Hester.	Ross.
Hill of Brazoria.	Savage.
Holloway.	Shannon.
Huddleston.	Smith.
Jefferson.	Van Zandt.
Johnson	Winningham.
of Anderson.	

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid House Bill No. 623 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—111

Adamson.	Jefferson.
Aikin.	Jones of Atascosa.
Alexander.	Kayton.
Alsup.	Kyle of Hays.
Anderson	Kyle of Palo Pinto.
of Bexar.	Laird.
Anderson	Latham.
of Johnson.	Lemens.
Baker.	Leonard.
Barron.	Lindsey.
Beck.	Lotief.
Bedford.	Magee.
Bourne.	Mackay.
Bradley.	McDougald.
Burns.	Merritt.
Calvert.	Metcalfe.
Camp.	Mitcham.
Canon.	Moffett.
Cathey.	Moore.
Caven.	Morrison.
Chastain.	Morse.
Clayton.	Munson.
Colson.	Nicholson.
Coombes.	Palmer.
Cowley.	Patterson.
Crossley.	Pavlica.
Daniel.	Pope.
Davidson.	Ratliff.
Dean.	Ray.
Dunlap.	Reed of Bowie.
Dunagan.	Reed of Dallas.
Duvall.	Renfro.
Dwyer.	Roberts.
Engelhard.	Rollins.
Few.	Ross.
Fisher.	Russell.
Ford.	Savage.
Fuchs.	Scarborough.
Glass.	Shults.
Golson.	Stanfield.
Good.	Steward.
Goodman.	Stinson.
Graves.	Stovall.
Haag.	Sullivant.
Hankamer.	Tarwater.
Hartzog.	Thomas.
Head.	Tillery.
Hicks.	Townsend.
Hill of Webb.	Turlington.
Hodges.	Wagstaff.
Holekamp.	Walker.
Holland.	Weinert.
Hoskins.	Wells.
Hughes.	West.
Hunt.	Wood.
Hyder.	Young.
Jackson.	

## Nays—3

Fain.	Vaughan.
Rogers of Hunt.	

## Present—Not Voting

Puryear.

## Absent

Barrett.	Mathis.
Butler.	McClain.
Devall.	McCullough.
Greathouse.	McGregor.
Griffith.	McKee.
Harman.	Parkhouse.
Harris.	Ramsey.
Harrison.	Reader.
Hester.	Riddle.
Hill of Brazoria.	Rogers
Holloway.	of Ochiltree.
Huddleston.	Scott.
James.	Shannon.
Johnson	Smith.
of Anderson.	Tennynson.
Jones of Runnels.	Van Zandt.
Jones of Shelby.	Winningham.
Long.	

## Absent—Excused

Johnson  
of Dimmit.

## MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, April 13, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate  
to inform the House that the Senate  
has adopted

S. C. R. No. 41, Recalling Senate  
Bill No. 85 from the Governor's Office  
for further consideration.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

BILL LAID ON THE TABLE SUB-  
JECT TO CALL

On motion of Mr. Graves, House  
Bill No. 464 was laid on the table  
subject to call.

RELATIVE TO HOUSE BILL NO.  
122

Mr. Mathis moved to take up, for  
consideration at this time, House Bill  
No. 122, which bill had heretofore  
been laid on the table subject to call.

Mr. Moffett raised a point of order  
on further consideration of the motion  
by Mr. Mathis, on the ground that  
under the Rules of the House the  
motion is out of order since there is a  
special order pending.

The Speaker sustained the point of  
order.

Mr. Morse moved that Section 2,  
of Rule XXII, of the House Rules,  
be suspended, for the purpose of

taking up and considering at this  
time, House Bill No. 122.

The motion was lost (not receiving  
the necessary two-thirds vote) by the  
following vote:

## Yeas—69

Baker.	James.
Bedford.	Jefferson.
Bourne.	Kayton.
Bradley.	Kyle of Palo Pinto.
Butler.	Mackay.
Calvert.	Mathis.
Cathey.	McClain.
Clayton.	McCullough.
Colson.	McGregor.
Coombes.	McKee.
Cowley.	Mitcham.
Davidson.	Moore.
Devall.	Morse.
Dunlap.	Munson.
Dunagan.	Nicholson.
Duvall.	Patterson.
Dwyer.	Pavlica.
Engelhard.	Reader.
Fisher.	Reed of Dallas.
Ford.	Renfro.
Fuchs.	Roberts.
Glass.	Rogers
Good.	of Ochiltree.
Greathouse.	Ross.
Griffith.	Russell.
Haag.	Scarborough.
Hankamer.	Shannon.
Harrison.	Stanfield.
Hartzog.	Steward.
Hicks.	Stinson.
Hill of Webb.	Tillery.
Holekamp.	Walker.
Holland.	Weinert.
Hoskins.	West.
Jackson.	Young.

## Yeas—62

Adamson.	Head.
Aikin.	Hodges.
Alexander.	Huddleston.
Alsup.	Hughes.
Anderson	Hunt.
of Johnson.	Hyder.
Barron.	Jones of Runnels.
Beck.	Jones of Shelby.
Burns.	Kyle of Hays.
Camp.	Laird.
Canon.	Latham.
Chastain.	Lemens.
Crossley.	Lindsey.
Daniel.	Lotief.
Dean.	Magee.
Fain.	Merritt.
Few.	Metcalfe.
Golson.	Moffett.
Graves.	Morrison.
Harman.	Palmer.
Harris.	Parkhouse.

Puryear.	Tarwater.
Ratliff.	Tennyson.
Ray.	Thomas.
Reed of Bowie.	Townsend.
Rogers of Hunt.	Turlington.
Rollins.	Van Zandt.
Savage.	Vaughan.
Scott.	Wagstaff.
Shults.	Wells.
Stovall.	Wood.
Sullivant.	

Present—Not Voting

Goodman.

Absent

Anderson	Jones of Atascosa.
of Bexar.	Leonard.
Barrett.	Long.
Caven.	McDougald.
Hester.	Pope.
Hill of Brazoria.	Ramsey.
Holloway.	Riddle.
Johnson	Smith.
of Anderson.	Winningham.

Absent—Excused

Johnson  
of Dimmit.

#### HOUSE BILL NO. 322 ON SECOND READING

The Speaker laid before the House, as a special order for the House, on its second reading and passage to engrossment,

H. B. No. 322, A bill to be entitled "An Act to fix the tuition to be collected from students registering in the schools of collegiate rank, supported in whole, or in part, by appropriation of public funds from the State Treasury, and empowering the State Board of Education to grant scholarships to such institutions, and prescribing the regulations therefor."

The bill was read second time.

Mr. Wagstaff offered the following committee amendment to the bill:

Amend House Bill No. 322 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. The governing boards of the several institutions of collegiate rank, supported in whole, or in part, by public funds appropriated from the State Treasury, shall cause to be collected from students registering in the said schools, after September 1, 1933, tuition at the following rates:

"1. From each student, resident within this State, who registers for a

full schedule of work as prescribed for regular full-time students, the sum of twenty-five dollars (\$25) for each semester; from each resident student registering in the graduate school, or department, the sum of fifty dollars (\$50) for each semester.

"2. From each student, who shall not have been, at the time of registration, a resident of the State of Texas for the period of at least one year, and who registers for a full schedule of work as prescribed for regular full-time students, the sum of one hundred and twenty-five dollars (\$125) for each semester; from each non-resident student registering in the graduate school, or department, the sum of one hundred and fifty dollars (\$150) for each semester.

"3. From each resident or non-resident student who registers for substantially less than the full schedule of work prescribed for full-time students, a sum correspondingly less than the full amount of tuition prescribed for full-time students in paragraphs 1 and 2 above.

"4. From each student registering for a term, that is, a quarter of a year, or for one-half of a term, if such division be designated, a sum correspondingly less than the amount set forth in paragraphs 1 and 2 above.

"The foregoing provisions, requiring the governing boards to collect tuition, shall not be interpreted as depriving the said boards of the right to collect such library, laboratory, and other fees as they are now permitted by law to collect.

"Sec. 2. The State Board of Education is herein empowered and shall grant a number of scholarships to students desiring to attend the State institutions of collegiate rank. The total number of such scholarships shall not exceed fifteen per cent (15%) of the total enrollments in the freshman classes of said institutions for the regular session preceding. From each student holding such a scholarship, who registers for a full schedule of work, tuition shall be collected at the rate of fifteen dollars (\$15) for each semester. From each student holding said scholarship, who registers for substantially less than a full schedule of work, or for a term, or for any other period of time less than a semester, a sum correspondingly less shall be collected. Said scholarships shall be granted in the following manner,

and according to the following stipulations, to wit: Students seeking such scholarships shall make application therefor on forms prescribed by the State Board of Education. Such application shall be signed by the principal, or superintendent, or both, and by a majority of the members of the board of education of the school from which the applicant for the scholarship is a graduate, or has been a student. All signatures thereon shall be construed as recommendations that the applicant be awarded the scholarship upon the following basis:

"(1) That said applicant is a deserving student, possessing an aptitude for scholastic pursuits, and is worthy of such scholarship. (2) That the applicant would otherwise be unable to attend college because of financial reasons, and for such cause would be deprived of the opportunity of receiving a college education.

"Sec. 3. The State Board of Education, or through an administrative officer under the jurisdiction thereof, shall award such scholarships in accordance with the provisions of Section 2 above, and consign said students to the various institutions, in accordance with their individual preferences so far as practicable, and in accordance with the per centum basis as set forth in Section 2 above.

"Sec. 4. The State Board of Education shall have power to make and define all regulations for the administration of the provisions set forth in Sections 2 and 3 of this Act, and not otherwise in violation thereof.

"Sec. 5. All funds collected under the provisions of this bill shall be placed in the State Treasury to the credit of the General Funds.

"Sec. 6. All laws and parts of laws in conflict with the provisions herein are hereby repealed.

"Sec. 7. The crowded condition of the calendar and the fact that the State has no law requiring students in institutions of collegiate rank to pay tuition and the further fact that the depleted condition of our Treasury create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, in each House, the further constitutional rule, as to time when laws take effect, be suspended, and each of them is hereby

suspended, this Act shall take effect and be in full force and effect from and after its passage, and it is so enacted."

Mr. Moffett moved that the House stand recessed to 7:30 o'clock p. m., today.

The motion was lost by the following vote:

Yeas—61

Adamson.	Jefferson.
Aikin.	Jones of Runnels.
Alsup.	Jones of Shelby.
Anderson	Kyle of Hays.
of Johnson.	Lemens.
Beck.	Lotief.
Bourne.	Magee.
Burns.	McDougald.
Butler.	McGregor.
Calvert.	Metcalf.
Canon.	Mitcham.
Caven.	Moffett.
Cowley.	Morrison.
Dean.	Munson.
Few.	Nicholson.
Fisher.	Palmer.
Glass.	Pavlica.
Golson.	Puryear.
Goodman.	Ratliff.
Graves.	Reed of Bowie.
Griffith.	Rollins.
Haag.	Scott.
Hankamer.	Shannon.
Harman.	Shults.
Harris.	Stinson.
Hicks.	Stovall.
Hodges.	Sullivant.
Hoskins.	Thomas.
Huddleston.	Tillery.
Hughes.	Turlington.
Hyder.	Van Zandt.

Nays—64

Alexander.	Fain.
Baker.	Ford.
Barrett.	Good.
Barron.	Greathouse.
Bedford.	Harrison.
Bradley.	Head.
Camp.	Holland.
Cathey.	Hunt.
Chastain.	Jackson.
Clayton.	James.
Colson.	Kayton.
Coombes.	Kyle of Palo Pinto.
Crossley.	Latham.
Daniel.	Long.
Davidson.	Mackay.
Devall.	McClain.
Dunlap.	McCullough.
Dunagan.	McKee.
Duvall.	Merritt.
Dwyer.	Moore.
Engelhard.	Morse.

Patterson.	Savage.
Pope.	Scarborough.
Ray.	Stanfield.
Reader.	Steward.
Reed of Dallas.	Tarwater.
Renfro.	Townsend.
Roberts.	Vaughan.
Rogers of Hunt.	Wagstaff.
Rogers	Walker.
of Ochiltree.	Wells.
Ross.	Wood.
Russell.	

Present—Not Voting

Weinert.

Absent

Anderson	Laird.
of Bexar.	Leonard.
Fuchs.	Lindsey.
Hartzog.	Mathis.
Hester.	Parkhouse.
Hill of Brazoria.	Ramsey.
Hill of Webb.	Riddle.
Holekamp.	Smith.
Holloway.	Tennyson.
Johnson	West.
of Anderson.	Winningham.
Jones of Atascosa.	Young.

Absent—Excused

Johnson  
of Dimmit.

Mr. Morse moved that House Bill No. 322 be laid on the table subject to call.

The motion prevailed by the following vote:

Yeas—72

Anderson	Fuchs.
of Bexar.	Glass.
Baker.	Good.
Barrett.	Goodman.
Bedford.	Greathouse.
Bourne.	Griffith.
Bradley.	Hankamer.
Burns.	Harrison.
Butler.	Hartzog.
Calvert.	Head.
Caven.	Hill of Brazoria.
Clayton.	Hill of Webb.
Colson.	Holland.
Crossley.	Hoskins.
Daniel.	Hyder.
Davidson.	Jackson.
Dunlap.	James.
Dunagan.	Jefferson.
Duvall.	Jones of Atascosa.
Dwyer.	Jones of Shelby.
Engelhard.	Kayton.
Fisher.	Kyle of Hays.
Ford.	Long.

Mackay.	Renfro.
Mathis.	Roberts.
McClain.	Russell.
McGregor.	Scarborough.
McKee.	Shannon.
Moore.	Shults.
Morse.	Stanfield.
Munson.	Tarwater.
Nicholson.	Tillery.
Patterson.	Walker.
Pavlica.	Weinert.
Pope.	Wells.
Reader.	Young.
Reed of Dallas.	

Nays—60

Adamson.	Lindsey.
Aikin.	Lotief.
Alexander.	Magee.
Alsop.	McCullough.
Anderson	McDougald.
of Johnson.	Merritt.
Barron.	Metcalfe.
Beck.	Mitcham.
Camp.	Moffett.
Canon.	Palmer.
Cathey.	Puryear.
Chastain.	Ratliff.
Coombes.	Ray.
Cowley.	Reed of Bowie.
Dean.	Rogers of Hunt.
Devall.	Rollins.
Fain.	Ross.
Few.	Savage.
Golson.	Scott.
Graves.	Steward.
Harman.	Stinson.
Harris.	Stovall.
Hodges.	Sullivan.
Holekamp.	Tennyson.
Hughes.	Thomas.
Hunt.	Turlington.
Jones of Runnels.	Van Zandt.
Kyle of Palo Pinto.	Vaughan.
Laird.	Wagstaff.
Latham.	Wood.
Lemens.	

Present—Not Voting

Leonard.

Absent

Haag.	Ramsey.
Hester.	Riddle.
Hicks.	Rogers
Holloway.	of Ochiltree.
Huddleston.	Smith.
Johnson	Townsend.
of Anderson.	West.
Morrison.	Winningham.
Parkhouse.	

Absent—Excused

Johnson  
of Dimmit.



Mr. Moffett moved that the House recess to 7:30 o'clock p. m., today.

The motion was lost by the following vote:

## Yeas—64

Adamson.	Lemens.
Aikin.	Lindsey.
Alexander.	Magee.
Alsup.	McCullough.
Anderson	McDougald.
of Johnson.	Metcalfe.
Barron.	Mitcham.
Beck.	Moffett.
Burns.	Morrison.
Camp.	Nicholson.
Canon.	Palmer.
Cathey.	Parkhouse.
Chastain.	Puryear.
Cowley.	Ratliff.
Daniel.	Ray.
Dean.	Reed of Bowie.
Few.	Rogers of Hunt.
Glass.	Rollins.
Golson.	Ross.
Goodman.	Savage.
Graves.	Shults.
Greathouse.	Stovall.
Harman.	Sullivant.
Harris.	Tarwater.
Hodges.	Tennyson.
Huddleston.	Thomas.
Hughes.	Turlington.
Hunt.	Van Zandt.
Jones of Runnels.	Vaughan.
Jones of Shelby.	Wagstaff.
Kyle of Hays.	Wells.
Laird.	Wood.
Latham.	

## Nays—69

Baker.	Harrison.
Barrett.	Hartzog.
Bedford.	Head.
Bourne.	Hill of Brazoria.
Bradley.	Hill of Webb.
Butler.	Holekamp.
Calvert.	Holland.
Caven.	Hoskins.
Clayton.	Hyder.
Colson.	Jackson.
Coombes.	James.
Crossley.	Jefferson.
Davidson.	Jones of Atascosa.
Devall.	Kayton.
Dunlap.	Kyle of Palo Pinto.
Dunagan.	Lotief.
Duvall.	Mackay.
Dwyer.	Mathis.
Engelhard.	McClain.
Fain.	McGregor.
Fisher.	McKee.
Ford.	Merritt.
Fuchs.	Moore.
Good.	Morse.
Griffith.	Munson.
Hankamer.	Patterson.

Pavlica.	Shannon.
Pope.	Stanfield.
Reader.	Stinson.
Reed of Dallas.	Tillery.
Renfro.	Townsend.
Roberts.	Walker.
Russell.	Weinert.
Scarborough.	Young.
Scott.	

## Absent

Anderson	Long.
of Bexar.	Ramsey.
Haag.	Riddle.
Hester.	Rogers
Hicks.	of Ochiltree.
Holloway.	Smith.
Johnson	Steward.
of Anderson.	West.
Leonard.	Winningham.

## Absent—Excused

Johnson  
of Dimmit.

## HOUSE BILL NO. 122 ON SECOND READING

Mr. Mathis moved to take up, for consideration at this time, House Bill No. 122, which bill had heretofore been laid on the table subject to call.

The roll of the House was called and the vote announced as follows: Yeas, 71; nays, 67.

Mr. McGregor called for a verification of the vote.

The roll of the yeas and nays was then called, and the verified vote announced as follows:

## Yeas—71

Anderson	Greathouse.
of Bexar.	Griffith.
Baker.	Hankamer.
Bedford.	Harrison.
Bourne.	Hartzog.
Bradley.	Hill of Brazoria.
Butler.	Hill of Webb.
Calvert.	Holekamp.
Caven.	Holland.
Clayton.	Hoskins.
Colson.	Hyder.
Coombes.	Jackson.
Davidson.	James.
Devall.	Jefferson.
Dunlap.	Jones of Atascosa.
Dunagan.	Kayton.
Duvall.	Kyle of Palo Pinto.
Dwyer.	Long.
Engelhard.	Lotief.
Ford.	Mackay.
Fuchs.	Mathis.
Glass.	McClain.
Good.	McCullough.

McGregor.	Roberts.
McKee.	Ross.
Merritt.	Russell.
Moore.	Scarborough.
Morse.	Shannon.
Munson.	Stanfield.
Nicholson.	Steward.
Patterson.	Stinson.
Pavlica.	Tillery.
Pope.	Walker.
Reader.	Weinert.
Reed of Dallas.	West.
Renfro.	Young.

## Nays—66

Adamson.	Latham.
Aikin.	Lemens.
Alexander.	Leonard.
Alsup.	Lindsey.
Anderson	Magee.
of Johnson.	McDougald.
Barrett.	Metcalf.
Barron.	Mitcham.
Beck.	Moffett.
Burns.	Morrison.
Camp.	Palmer.
Canon.	Parkhouse.
Cathey.	Puryear.
Chastain.	Ratliff.
Cowley.	Ray.
Crossley.	Reed of Bowie.
Daniel.	Rogers of Hunt.
Dean.	Rollins.
Fain.	Savage.
Few.	Scott.
Fisher.	Shults.
Golson.	Stovall.
Graves.	Sullivant.
Harman.	Tarwater.
Harris.	Tennyson.
Head.	Thomas.
Hodges.	Townsend.
Huddleston.	Turlington.
Hughes.	Van Zandt.
Hunt.	Vaughan.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Wells.
Kyle of Hays.	Wood.
Laird.	

## Present—Not Voting

Goodman.

## Absent

Haag.	Ramsey.
Hester.	Riddle.
Hicks.	Rogers
Holloway.	of Ochiltree.
Johnson	Smith.
of Anderson.	Winningham.

## Absent—Excused

Johnson  
  of Dimmit.

The Speaker announced that the motion prevailed.

The Speaker then laid before the House on its second reading and passage to engrossment,

H. B. No. 122, A bill to be entitled "An Act to regulate the manufacture, sale, and disposition of non-intoxicating malt liquors and the places wherein same are manufactured and sold; defining non-intoxicating malt liquors; imposing an occupation tax upon certain persons, firms, corporations, and associations of persons manufacturing and selling non-intoxicating malt liquors; defining manufacturers of such non-intoxicating malt liquors and regulating the business thereof, etc., and declaring an emergency."

The bill was read second time.

Question—Shall the bill pass to engrossment?

## RECALLING SENATE BILL NO. 85

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 41, Recalling Senate Bill No. 85.

Whereas, Senate Bill No. 85 has passed the Senate and House and is now in the Governor's Office; and

Whereas, There are some corrections to be made in said bill; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Governor be, and is hereby, requested to return Senate Bill No. 85 to the Senate for further consideration; and be it further

Resolved, That the presiding officers of the Senate and House be directed to erase their signatures from the enrolled copy of Senate Bill No. 85.

BECK,  
PURL,  
DeBERRY,  
MOORE.

The resolution was read second time, and was adopted.

## BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 173, "An Act providing for the certification of questions of law by trial courts to Courts of Civil Appeals, and by such courts to the Supreme Court, and for the appeal of litigants from orders of trial courts overruling or sustaining general or special exceptions involving the constitutionality or validity of laws, orders, rules, and regulations of State officers, boards, and other commissions; providing the means and manner thereof; providing the rights, powers, and duties of such courts, and, providing generally, for the enforcement hereof; and declaring an emergency."

S. B. No. 172, "An Act amending Article 2039-a, Chapter 3, Title 42, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Forty-first Legislature, relating to the service of process on the State Highway Commissioner, and designating said officer as the agent for such purposes in suits against non-residents for injuries inflicted within this State by non-resident operators of motor vehicles, or motorcycles, so as to extend, cover, and include not only the owners of said motor vehicles, but likewise their agents, servants, or employees operating the same, etc.; and declaring an emergency."

S. B. No. 85, "An Act amending Article 1020, Texas Code of Criminal Procedure, relating to testimony in examining courts; providing for filing of such testimony with district clerks; providing for payment of fees to district clerks and county attorneys in examining trials; and declaring an emergency."

H. B. No. 104, "An Act to amend Sections 1, 2, and 6, Chapter 148, of the General Laws passed by the Forty-second Legislature, at its Regular Session in 1931, relating to the authority of counties and incorporated cities and the Texas State Parks Board, separately, and in co-operation with each other, to acquire by gift or purchase land for public parks, etc.; and declaring an emergency."

#### SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid be-

fore the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 139, to the Committee on Municipal and Private Corporations.

Senate Bill No. 355, to the Committee on Counties.

Senate Bill No. 488, to the Committee on Counties.

#### NOTICE GIVEN

Mr. Bradley gave notice that he would, on tomorrow, move to take up, for consideration at that time, House Bill No. 100, which bill had heretofore been laid on the table subject to call.

#### RECESS

On motion of Mr. Moffett, the House at 5:45 o'clock p. m., took recess to 7:30 o'clock p. m., today.

#### NIGHT SESSION

The House met at 7:30 o'clock p. m., and was called to order by the Speaker.

#### SENATE BILL NO. 192 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 192, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the County Court of Sterling County, to conform to the jurisdiction of the District Court thereof, and to repeal all laws in conflict herewith; and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 192 ON THIRD READING

Mr. Metcalfe moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 192 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—102

Adamson.	Leonard.
Aikin.	Lindsey.
Alsup.	Lotief.
Anderson	Magee.
of Johnson.	Mackay.
Baker.	McClain.
Beck.	McCullough.
Bedford.	McDougald.
Bourne.	McKee.
Burns.	Merritt.
Calvert.	Metcalfe.
Camp.	Mitcham.
Canon.	Moffett.
Chastain.	Moore.
Coombes.	Morrison.
Crossley.	Morse.
Daniel.	Nicholson.
Davidson.	Patterson.
Dean.	Pope.
Devall.	Puryear.
Dunagan.	Ramsey.
Engelhard.	Ratliff.
Fain.	Ray.
Few.	Reed of Bowie.
Ford.	Reed of Dallas.
Fuchs.	Rogers of Hunt.
Glass.	Rogers of Ochiltree.
Good.	Rollins.
Goodman.	Ross.
Graves.	Russell.
Griffith.	Scarborough.
Hankamer.	Scott.
Harman.	Shannon.
Hartzog.	Shults.
Head.	Stanfield.
Hill of Brazoria.	Steward.
Hodges.	Stinson.
Holekamp.	Stovall.
Hoskins.	Tarwater.
Huddleston.	Thomas.
Hughes.	Tillery.
Jackson.	Townsend.
James.	Turlington.
Jefferson.	Van Zandt.
Jones of Runnels.	Vaughan.
Jones of Shelby.	Wagstaff.
Kayton.	Walker.
Kyle of Hays.	Weinert.
Kyle of Palo Pinto.	Wells.
Laird.	Wood.
Latham.	Young.
Lemens.	

## Absent

Alexander.	Colson.
Anderson	Cowley.
of Bexar.	Dunlap.
Barrett.	Duvall.
Barron.	Dwyer.
Bradley.	Fisher.
Butler.	Golson.
Cathey.	Greathouse.
Caven.	Haag.
Clayton.	Harris.

Harrison.	Munson.
Hester.	Palmer.
Hicks.	Parkhouse.
Hill of Webb.	Pavlica.
Holland.	Reader.
Holloway.	Renfro.
Hunt.	Riddle.
Hyder.	Roberts.
Johnson	Savage.
of Anderson.	Smith.
Jones of Atascosa.	Sullivant.
Long.	Tennyson.
Mathis.	West.
McGregor.	Winningham.

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid Senate Bill No. 192 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—104

Adamson.	Hicks.
Aikin.	Hill of Brazoria.
Alsup.	Hodges.
Anderson	Holekamp.
of Bexar.	Hoskins.
Anderson	Huddleston.
of Johnson.	Hughes.
Baker.	Hunt.
Beck.	Jackson.
Bedford.	James.
Bourne.	Jefferson.
Burns.	Jones of Runnels.
Calvert.	Jones of Shelby.
Camp.	Kayton.
Canon.	Kyle of Hays.
Chastain.	Kyle of Palo Pinto.
Coombes.	Laird.
Crossley.	Latham.
Daniel.	Lemens.
Davidson.	Leonard.
Dean.	Lindsey.
Devall.	Lotief.
Dunagan.	Magee.
Engelhard.	Mackay.
Fain.	McClain.
Few.	McCullough.
Ford.	McDougald.
Fuchs.	McKee.
Glass.	Merritt.
Golson.	Metcalfe.
Good.	Mitcham.
Goodman.	Moffett.
Griffith.	Moore.
Hankamer.	Morrison.
Harman.	Morse.
Hartzog.	Nicholson.
Head.	Patterson.

Pope.	Steward.
Puryear.	Stinson.
Ramsey.	Stovall.
Ratliff.	Tarwater.
Ray.	Thomas.
Reed of Dallas.	Tillery.
Rogers of Hunt.	Townsend.
Rogers	Turlington.
of Ochiltree.	Van Zandt.
Rollins.	Vaughan.
Ross.	Wagstaff.
Russell.	Walker.
Scarborough.	Weinert.
Scott.	Wells.
Shannon.	Wood.
Shults.	Young.
Stanfield.	

## Absent

Alexander.	Hyder.
Barrett.	Johnson
Barron.	of Anderson.
Bradley.	Jones of Atascosa.
Butler.	Long.
Cathey.	Mathis.
Caven.	McGregor.
Clayton.	Munson.
Colson.	Palmer.
Cowley.	Parkhouse.
Dunlap.	Pavlica.
Duvall.	Reader.
Dwyer.	Reed of Bowie.
Fisher.	Renfro.
Graves.	Riddle.
Greathouse.	Roberts.
Haag.	Savage.
Harris.	Smith.
Harrison.	Sullivant.
Hester.	Tennyson.
Hill of Webb.	West.
Holland.	Winningham.
Holloway.	

## Absent—Excused

Johnson of Dimmit.

## SENATE BILL NO. 314 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 314, A bill to be entitled "An Act to prohibit the hunting, taking, shooting, or killing of any game bird, or any game animal, as defined in the laws of the State of Texas, in that part of Wichita County included within the following territory, to wit: Beginning at the center of the intersection of Tenth and Holliday Streets, in the City of Wichita Falls, Wichita County,

Texas; thence in a southerly direction, down the center of said Holliday Street, to the corporate limits of the City of Wichita Falls, etc.; and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 409 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 409, A bill to be entitled "An Act repealing Articles 52-146, 52-147, 52-148, 52-149, 52-150, 52-151, 52-152, 52-153, 52-154, 52-155, and 52-156, of the Revised Civil Statutes of Texas, 1925, and Chapter 104, of the Local and Special Laws of Texas, passed at the Regular Session of the Thirty-second Legislature, relating to and creating the County Court of Galveston County at Law; transferring the jurisdiction of this court to the District Court of the Tenth Judicial District of Texas; and declaring an emergency."

The bill was read second time, and was passed to third reading.

## RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled resolution:

H. C. R. No. 64, Suspending certain Joint Rule.

## HOUSE BILL NO. 409 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 409, A bill to be entitled "An Act providing for rules attacking the credibility of witnesses in civil and criminal cases by showing connection with crime, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 442 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 442, A bill to be entitled "An Act creating a Central Mailing Bureau; providing for the control of such Bureau by the State Board of Control; designating the duties and purpose of such Bureau; making an appropriation for the expense of operation and for the purchase of necessary equipment to establish and maintain said Bureau for a period of six months; providing all mail of the State departments located in the State Capitol, the State Office Building, the State Highway Department Office Building, and the Courthouse State Office Building in Austin shall pass through said Bureau; providing for bonds for personnel of such Bureau; providing an appropriation for a revolving fund; repealing all laws in conflict, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 510 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 510, A bill to be entitled "An Act to amend Article 536 of the Penal Code of the State of Texas to provide that same shall not apply to self-help or credit scrip or other certificates of barter issued during the years 1933, 1934, and 1935, by any incorporated city, town, or village, or by any organized Chamber of Commerce, and declaring an emergency."

The bill was read second time.

Mr. Kayton offered the following amendment to the bill:

Amend House Bill No. 510 by deleting lines 23, 24, and 25 after the word "village."

The amendment was adopted.

House Bill No. 510 was then passed to engrossment.

#### HOUSE BILL NO. 487 ON SECOND READING

(By Unanimous Consent)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 487, A bill to be entitled "An Act to amend Chapter 91, of the General Laws of the Fortieth Legislature, amending Article 7596, of the Revised Statutes of the State of

Texas, regulating liens for water rates, so as hereafter to limit the statutory lien on crops to secure water rates for irrigation to one-third of the crop; and to give to those supplying water for irrigation a preference lien on crops, superior to every other lien; to limit the lien which public utilities may contract for on crops to one-third; and to authorize waiver of lien by districts, and declaring an emergency."

The bill was read second time.

Mr. Nicholson offered the following amendments to the bill:

(1)

Amend House Bill No. 487 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. That Article 7596, of the Revised Civil Statutes of the State of Texas, as amended by Chapter 91, of the General Laws of the Fortieth Legislature, be, and is hereby, amended so as to hereafter read as follows:

"Every person, association of persons, or corporation not organized as a water improvement district, water control and improvement district, irrigation district, or as any other political subdivision of the State of Texas, which has heretofore constructed or may hereafter construct any ditch, canal, dam, lake, or reservoir for the purpose of irrigation, and which shall lease, furnish, or supply water to any person, association of persons, or corporation for the purpose of irrigation, irrespective of contract, shall have a preference lien, superior to every other lien, upon the crop, or crops, raised upon the land thus irrigated to the full extent of one-half of such crop, or crops. No person, association of persons, or corporation not organized as a water improvement district, water control and improvement district, irrigation district, or as any other political subdivision of this State which may enjoy rights and privileges in public waters of the State secured by appropriation, or may enjoy the rights of eminent domain and is thus charged with the duties of a public utility, shall contract for a lien to secure water rates on crops to an extent greater than one-half of the crops grown on land irrigated by such person, association

of persons, or corporation. Every water improvement district, water control and improvement district, irrigation district, or other district, organized as a political subdivision of this State, which has heretofore constructed or may hereafter construct any ditch, canal, dam, lake, or reservoir for the purpose of irrigation, and which shall lease, rent, furnish, or supply water to any person, association of persons, water improvement district, or corporation for the purpose of irrigation, shall, irrespective of contract, have a preference lien, superior to every other lien, upon the crop, or crops, raised upon the land thus irrigated; provided, however, that when any such irrigation, conservation, or reclamation district shall obtain a water supply under contract with the United States, the board of directors of such district may, by resolution duly entered upon the minutes of the board, and with the consent of the Secretary of the Interior, waive such preference lien in whole or in part.'

"Sec. 2. The fact that the law now regulating the lien for irrigation gives a preference lien on crops, to the extent of the whole crop, to those supplying water for that purpose, and permits the extraction by public service agencies of contract liens to secure rates out of proportion to the value of the whole crop, which results in it being impossible for farmers to obtain credit for other necessary expenses for conducting their business as farmers, and the fact that the time for planting the crops of the present year is at hand and a large percentage of farmers unable to plant for lack of funds and lack of credit, are circumstances which constitute and create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three separate days, be suspended, and that this Act take effect from and after its passage, and it is so enacted."

(2)

Amend House Bill No. 487 by striking out all above the enacting clause, and inserting in lieu thereof the following:

"H. B. No. 487,

# A BILL

## To Be Entitled

An Act to amend Chapter 91, of the General Laws of the Fortieth Legislature, amending Article 7596, of the Revised Statutes of the State of Texas, regulating liens for water rates, so as to hereafter limit the statutory lien on crops to secure water rates for irrigation to one-half of the crop; providing for exceptions; and as to give to those supplying water for irrigation a preference lien on crops, superior to every other lien; to limit the lien which public utilities may contract for on crops to one-half; and to authorize waiver of lien by districts, and declaring an emergency."

The amendments then were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 487 was then passed to engrossment.

## HOUSE BILL NO. 487 ON THIRD READING

Mr. Nicholson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 487 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104

Adamson.	Davidson.
Aikin.	Dean.
Alsup.	Devall.
Anderson	Dunagan.
of Bexar.	Engelhard.
Anderson	Fain.
of Johnson.	Few.
Baker.	Fisher.
Beck.	Ford.
Bedford.	Fuchs.
Bourne.	Glass.
Burns.	Golson.
Calvert.	Good.
Camp.	Goodman.
Canon.	Graves.
Chastain.	Griffith.
Coombes.	Hankamer.
Crossley.	Harman.
Daniel.	Hartzog.

Head.	Patterson.
Hill of Brazoria.	Purveyar.
Hodges.	Ramsey.
Holekamp.	Ratliff.
Holland.	Ray.
Hoskins.	Reed of Bowie.
Huddeston.	Reed of Dallas.
Hughes.	Rogers of Hunt.
Jackson.	Rogers
James.	of Ochiltree.
Jones of Runnels.	Rollins.
Jones of Shelby.	Ross.
Kayton.	Russell.
Kyle of Hays.	Savage.
Kyle of Palo Pinto.	Scarborough.
Laird.	Scott.
Latham.	Shannon.
Lemens.	Shults.
Lindsey.	Stanfield.
Lotief.	Steward.
Magee.	Stinson.
Mackay.	Stovall.
McClain.	Tarwater.
McCullough.	Thomas.
McDougald.	Tillery.
McKee.	Townsend.
Merritt.	Turlington.
Metcalfe.	Van Zandt.
Mitcham.	Vaughan.
Moffett.	Wagstaff.
Moore.	Walker.
Morrison.	Wells.
Morse.	Wood.
Nicholson.	Young.
Parkhouse.	

## Absent

Alexander.	Jefferson.
Barrett.	Johnson
Barron.	of Anderson.
Bradley.	Jones of Atascosa.
Butler.	Leonard.
Cathey.	Long.
Caven.	Mathis.
Clayton.	McGregor.
Colson.	Munson.
Cowley.	Palmer.
Dunlap.	Pavlica.
Duvall.	Pope.
Dwyer.	Reader.
Greathouse.	Renfro.
Haag.	Riddle.
Harris.	Roberts.
Harrison.	Smith.
Hester.	Sullivan.
Hicks.	Tennyson.
Hill of Webb.	Weinert.
Holloway.	West.
Hunt.	Winningham.
Hyder.	

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid House Bill No. 487 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—102

Adamson.	Laird.
Aikin.	Latham.
Alsup.	Lemens.
Anderson	Leonard.
of Bexar.	Lindsey.
Anderson	Lotief.
of Johnson.	Magee.
Baker.	Mackay.
Beck.	McClain.
Bedford.	McCullough.
Bourne.	McDougald.
Burns.	McKee.
Calvert.	Metcalfe.
Camp.	Mitcham.
Canon.	Moffett.
Caven.	Morrison.
Chastain.	Morse.
Coombes.	Nicholson.
Daniel.	Patterson.
Davidson.	Purveyar.
Dean.	Ramsey.
Devall.	Ratliff.
Dunagan.	Ray.
Engelhard.	Reed of Bowie.
Fain.	Reed of Dallas.
Few.	Rogers of Hunt.
Ford.	Rogers
Fuchs.	of Ochiltree.
Glass.	Rollins.
Golson.	Ross.
Good.	Russell.
Goodman.	Scarborough.
Graves.	Scott.
Griffith.	Shannon.
Hankamer.	Shults.
Harman.	Stanfield.
Hartzog.	Steward.
Hicks.	Stinson.
Hill of Brazoria.	Stovall.
Hodges.	Tarwater.
Holekamp.	Tennyson.
Holland.	Thomas.
Hoskins.	Tillery.
Huddleston.	Townsend.
Hughes.	Turlington.
Jackson.	Van Zandt.
James.	Vaughan.
Jefferson.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Wells.
Kayton.	Wood.
Kyle of Hays.	Young.
Kyle of Palo Pinto.	

## Nays—2

Head.	Parkhouse.
-------	------------

## Absent

Alexander.	Bradley.
Barrett.	Butler.
Barron.	Cathey.



Clayton.	Long.
Colson.	Mathis.
Cowley.	McGregor.
Crossley.	Merritt.
Dunlap.	Moore.
Duvall.	Munson.
Dwyer.	Palmer.
Fisher.	Pavlica.
Greathouse.	Pope.
Haag.	Reader.
Harris.	Renfro.
Harrison.	Riddle.
Hester.	Roberts.
Hill of Webb.	Savage.
Holloway.	Smith.
Hunt.	Sullivant.
Hyder.	Weinert.
Johnson	West.
of Anderson.	Winningham.
Jones of Atascosa.	

Absent—Excused

Johnson  
of Dimmit.SENATE BILL NO. 409 ON THIRD  
READING

Mr. Bedford moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 409 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103

Adamson.	Good.
Aikin.	Graves.
Alsup.	Griffith.
Anderson	Hankamer.
of Bexar.	Hartzog.
Anderson	Hill of Brazoria.
of Johnson.	Hodges.
Baker.	Holekamp.
Beck.	Hoskins.
Bedford.	Huddleston.
Bourne.	Hughes.
Burns.	Hunt.
Calvert.	Jackson.
Camp.	James.
Canon.	Jefferson.
Coombes.	Jones of Runnels.
Daniel.	Jones of Shelby.
Davidson.	Kayton.
Dean.	Kyle of Hays.
Devall.	Kyle of Palo Pinto.
Dunagan.	Laird.
Engelhard.	Latham.
Fain.	Lemens.
Few.	Leonard.
Ford.	Lindsey.
Fuchs.	Lotief.
Glass.	Mackay.
Golson.	Magee.

McClain.	Ross.
McCullough.	Russell.
McDougald.	Savage.
McKee.	Scarborough.
Merritt.	Scott.
Metcalfe.	Shannon.
Mitcham.	Shults.
Moffett.	Stanfield.
Moore.	Steward.
Morrison.	Stinson.
Morse.	Stovall.
Nicholson.	Tarwater.
Palmer.	Tennyson.
Patterson.	Thomas.
Pope.	Tillery.
Puryear.	Townsend.
Ramsey.	Turlington.
Ratliff.	Van Zandt.
Ray.	Vaughan.
Reed of Bowie.	Wagstaff.
Reed of Dallas.	Walker.
Rogers of Hunt.	Wells.
Rogers	West.
of Ochiltree.	Wood.
Rollins.	Young.

Absent

Alexander.	Hester.
Barrett.	Hicks.
Barron.	Hill of Webb.
Bradley.	Holland.
Butler.	Holloway.
Cathey.	Hyder.
Caven.	Johnson
Chastain.	of Anderson.
Clayton.	Jones of Atascosa.
Colson.	Long.
Cowley.	Mathis.
Crossley.	McGregor.
Dunlap.	Munson.
Duvall.	Parkhouse.
Dwyer.	Pavlica.
Fisher.	Reader.
Goodman.	Renfro.
Greathouse.	Riddle.
Haag.	Roberts.
Harman.	Smith.
Harris.	Sullivant.
Harrison.	Weinert.
Head.	Winningham.

Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid Senate Bill No. 409 before the House on its third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 409 ON THIRD  
READING

Mr. Camp moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, and that House Bill No. 409 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—107

Adamson.	Laird.
Aikin.	Latham.
Alsup.	Lemens.
Anderson	Leonard.
of Bexar.	Lindsey.
Anderson	Lotief.
of Johnson.	Magee.
Baker.	Mackay.
Beck.	McClain.
Bedford.	McCullough.
Bourne.	McDougald.
Burns.	McKee.
Calvert.	Merritt.
Camp.	Metcalf.
Canon.	Mitcham.
Caven.	Moffett.
Chastain.	Moore.
Coombes.	Morrison.
Crossley.	Nicholson.
Daniel.	Palmer.
Davidson.	Patterson.
Dean.	Pope.
Devall.	Puryear.
Dunagan.	Ramsey.
Engelhard.	Ratliff.
Fain.	Ray.
Few.	Reed of Bowie.
Ford.	Reed of Dallas.
Fuchs.	Rogers of Hunt.
Glass.	Rogers
Golson.	of Ochiltree.
Good.	Rollins.
Goodman.	Ross.
Graves.	Russell.
Griffith.	Savage.
Hankamer.	Scarborough.
Harman.	Scott.
Hartzog.	Shannon.
Head.	Shults.
Hicks.	Stanfield.
Hill of Brazoria.	Steward.
Hodges.	Stinson.
Holekamp.	Stovall.
Hoskins.	Tarwater.
Huddleston.	Tennyson.
Hughes.	Thomas.
Hunt.	Tillery.
Jackson.	Townsend.
James.	Turlington.
Jefferson.	Van Zandt.
Jones of Runnels.	Wagstaff.
Jones of Shelby.	Walker.
Kayton.	Wells.
Kyle of Hays.	Wood.
Kyle of Palo Pinto.	Young.

## Absent

Alexander.	Barrett.
------------	----------

Barron.	Johnson
Bradley.	of Anderson.
Butler.	Jones of Atascosa.
Cathey.	Long.
Clayton.	Mathis.
Colson.	McGregor.
Cowley.	Morse.
Dunlap.	Munson.
Duvall.	Parkhouse.
Dwyer.	Pavlica.
Fisher.	Reader.
Greathouse.	Renfro.
Haag.	Riddle.
Harris.	Roberts.
Harrison.	Smith.
Hester.	Sullivant.
Hill of Webb.	Vaughan.
Holland.	Weinert.
Holloway.	West.
Hyder.	Winningham.

## Absent—Excused

Johnson
of Dimmit.

The Speaker then laid House Bill No. 409 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—97

Adamson.	Hicks.
Aikin.	Hill of Brazoria.
Alsup.	Hodges.
Anderson	Holekamp.
of Bexar.	Hoskins.
Anderson	Huddleston.
of Johnson.	Hughes.
Baker.	Hunt.
Beck.	Jackson.
Bedford.	James.
Bourne.	Jefferson.
Burns.	Jones of Runnels.
Calvert.	Jones of Shelby.
Camp.	Kayton.
Canon.	Kyle of Hays.
Caven.	Laird.
Chastain.	Latham.
Coombes.	Lemens.
Daniel.	Leonard.
Devall.	Lotief.
Dunagan.	Magee.
Engelhard.	Mackay.
Fain.	McClain.
Ford.	McCullough.
Fuchs.	McKee.
Glass.	Merritt.
Golson.	Metcalf.
Good.	Mitcham.
Goodman.	Moffett.
Griffith.	Moore.
Hankamer.	Morrison.
Harman.	Morse.
Hartzog.	Nicholson.
Head.	Palmer.

Patterson.	Stanfield.
Pope.	Steward.
Puryear.	Stinson.
Ramsey.	Stovall.
Ray.	Tarwater.
Reed of Bowie.	Tennyson.
Reed of Dallas.	Thomas.
Rogers of Hunt.	Townsend.
Rogers	Turlington.
of Ochiltree.	Van Zandt.
Rollins.	Vaughan.
Ross.	Wagstaff.
Scarborough.	Wells.
Scott.	West.
Shannon.	Wood.
Shults.	Young.

## Nays—6

Davidson.	McDougald.
Dean.	Ratliff.
Lindsey.	Tillery.

## Absent

Alexander.	Holloway.
Barrett.	Hyder.
Barron.	Johnson
Bradley.	of Anderson.
Butler.	Jones of Atascosa.
Cathey.	Kyle of Palo Pinto.
Clayton.	Long.
Colson.	Mathis.
Cowley.	McGregor.
Crossley.	Munson.
Dunlap.	Parkhouse.
Duval.	Pavlica.
Dwyer.	Reader.
Few.	Renfro.
Fisher.	Riddle.
Graves.	Roberts.
Greathouse.	Russell.
Haag.	Savage.
Harris.	Smith.
Harrison.	Sullivant.
Hester.	Walker.
Hill of Webb.	Weinert.
Holland.	Winningham.

## Absent—Excused

Johnson  
of Dimmit.

HOUSE BILL NO. 442 ON THIRD  
READING

Mr. Kayton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 442 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—99

Adamson.	Alsop.
Aikin.	Anderson of Bexar.

Anderson	McClain.
of Johnson.	McCullough.
Baker.	McDougald.
Beck.	McKee.
Bedford.	Merritt.
Bourne.	Metcalfe.
Burns.	Mitcham.
Calvert.	Moffett.
Camp.	Moore.
Coombes.	Morrison.
Crossley.	Morse.
Daniel.	Nicholson.
Devall.	Palmer.
Dunagan.	Patterson.
Engelhard.	Pope.
Fain.	Ramsey.
Ford.	Ratliff.
Fuchs.	Ray.
Glass.	Reed of Bowie.
Golson.	Reed of Dallas.
Good.	Rogers of Hunt.
Goodman.	Rogers
Graves.	of Ochiltree.
Hankamer.	Rollins.
Harman.	Ross.
Hartzog.	Russell.
Head.	Savage.
Hicks.	Scarborough.
Hill of Brazoria.	Scott.
Holekamp.	Shannon.
Holland.	Shults.
Hoskins.	Stanfield.
Huddleston.	Steward.
Hughes.	Stovall.
Hunt.	Tarwater.
Jackson.	Tennyson.
James.	Thomas.
Jefferson.	Tillery.
Jones of Shelby.	Townsend.
Kayton.	Turlington.
Kyle of Hays.	Van Zandt.
Kyle of Palo Pinto.	Vaughan.
Laird.	Wagstaff.
Latham.	Walker.
Lemens.	Wells.
Leonard.	West.
Lotief.	Wood.
Mackay.	Young.
Magee.	

## Nays—7

Davidson.	Lindsey.
Dean.	Puryear.
Few.	Stinson.
Jones of Runnels.	

## Absent

Alexander.	Clayton.
Barrett.	Colson.
Barron.	Cowley.
Bradley.	Dunlap.
Butler.	Duval.
Canon.	Dwyer.
Cathey.	Fisher.
Caven.	Greathouse.
Chastain.	Griffith.

Haag.	McGregor.
Harris.	Munson.
Harrison.	Parkhouse.
Hester.	Pavlica.
Hill of Webb.	Reader.
Hodges.	Renfro.
Holloway.	Riddle.
Hyder.	Roberts.
Johnson	Smith.
of Anderson.	Sullivant.
Jones of Atascosa.	Weinert.
Long.	Winningham.
Mathis.	

Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid House Bill No. 442 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—97

Adamson.	James.
Alsup.	Jefferson.
Anderson	Jones of Atascosa.
of Bexar.	Jones of Shelby.
Anderson	Kayton.
of Johnson.	Kyle of Hays.
Baker.	Kyle of Palo Pinto.
Beck.	Laird.
Bedford.	Lemens.
Bourne.	Leonard.
Burns.	Lotief.
Calvert.	Mackay.
Camp.	McClain.
Coombes.	McCullough.
Crossley.	McDougald.
Daniel.	McKee.
Davidson.	Merritt.
Devall.	Metcalfe.
Dunagan.	Mitcham.
Engelhard.	Moffett.
Fain.	Moore.
Ford.	Morrison.
Fuchs.	Morse.
Glass.	Nicholson.
Golson.	Palmer.
Good.	Patterson.
Goodman.	Ramsey.
Graves.	Ratliff.
Griffith.	Ray.
Hankamer.	Reed of Bowie.
Harman.	Reed of Dallas.
Hartzog.	Rogers of Hunt.
Head.	Rollins.
Hicks.	Ross.
Hill of Brazoria.	Russell.
Holekamp.	Savage.
Hoskins.	Scarborough.
Huddleston.	Scott.
Hughes.	Shannon.
Hunt.	Shults.
Jackson.	Stanfield.

Steward.	Van Zandt.
Stovall.	Vaughan.
Sullivant.	Wagstaff.
Tarwater.	Walker.
Tennyson.	Wells.
Thomas.	West.
Tillery.	Wood.
Townsend.	Young.
Turlington.	

Nays—9

Aikin.	Jones of Runnels.
Canon.	Lindsey.
Dean.	Puryear.
Few.	Stinson.
Hodges.	

Absent

Alexander.	Holloway.
Barrett.	Hyder.
Barron.	Johnson
Bradley.	of Anderson.
Butler.	Latham.
Cathey.	Long.
Caven.	Magee.
Chastain.	Mathis.
Clayton.	McGregor.
Colson.	Munson.
Cowley.	Parkhouse.
Dunlap.	Pavlica.
Duvall.	Pope.
Dwyer.	Reader.
Fisher.	Renfro.
Greathouse.	Riddle.
Haag.	Roberts.
Harris.	Rogers
Harrison.	of Ochiltree.
Hester.	Smith.
Hill of Webb.	Weinert.
Holland.	Winningham.

Absent—Excused

Johnson  
of Dimmit.HOUSE BILL NO. 510 ON THIRD  
READING

Mr. Holland moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 510 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101

Adamson.	Beck.
Aikin.	Bedford.
Alsup.	Bourne.
Anderson	Burns.
of Bexar.	Calvert.
Anderson	Camp.
of Johnson.	Canon.
Baker.	Coombes.

Crossley.	Merritt.
Daniel.	Metcalfe.
Davidson.	Mitcham.
Dean.	Moffett.
Devall.	Moore.
Dunagan.	Morrison.
Engelhard.	Morse.
Fain.	Nicholson.
Ford.	Palmer.
Fuchs.	Patterson.
Glass.	Pope.
Golson.	Puryear.
Good.	Ramsey.
Griffith.	Ratliff.
Hankamer.	Ray.
Harman.	Reed of Bowie.
Hartzog.	Reed of Dallas.
Head.	Rogers of Hunt.
Hicks.	Rollins.
Hill of Brazoria.	Ross.
Hodges.	Russell.
Holekamp.	Savage.
Holland.	Scarborough.
Hoskins.	Scott.
Huddleston.	Shannon.
Hughes.	Smith.
Hunt.	Stanfield.
Jackson.	Steward.
James.	Stinson.
Jefferson.	Sullivan.
Jones of Runnels.	Tennyson.
Jones of Shelby.	Thomas.
Kayton.	Tillery.
Kyle of Hays.	Townsend.
Kyle of Palo Pinto.	Turlington.
Laird.	Van Zandt.
Latham.	Vaughan.
Lemens.	Wagstaff.
Leonard.	Walker.
Lotief.	Wells.
Magee.	Winningham.
McClain.	Wood.
McCullough.	Young.
McDougald.	

## Nays—1

Lindsey.

## Absent

Alexander.	Greathouse.
Barrett.	Haag.
Barron.	Harris.
Bradley.	Harrison.
Butler.	Hester.
Cathey.	Hill of Webb.
Caven.	Holloway.
Chastain.	Hyder.
Clayton.	Johnson
Colson.	of Anderson.
Cowley.	Jones of Atascosa.
Dunlap.	Long.
Duvall.	Mackay.
Dwyer.	Mathis.
Few.	McGregor.
Fisher.	McKee.
Goodman.	Munson.
Graves.	Parkhouse.

Pavlica.	Shults.
Reader.	Stovall.
Renfro.	Tarwater.
Riddle.	Weinert.
Roberts.	West.
Rogers of Ochiltree.	

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid House Bill No. 510 before the House on its third reading and final passage.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 510 was then passed by the following vote:

## Yeas—103

Adamson.	Hughes.
Alexander.	Hunt.
Alsup.	Jackson.
Anderson	James.
of Bexar.	Jefferson.
Anderson	Jones of Runnels.
of Johnson.	Jones of Shelby.
Baker.	Kayton.
Beck.	Kyle of Hays.
Bedford.	Kyle of Palo Pinto.
Bourne.	Laird.
Burns.	Latham.
Calvert.	Lemens.
Camp.	Leonard.
Canon.	Lotief.
Coombes.	Magee.
Daniel.	Mackay.
Davidson.	McClain.
Dean.	McCullough.
Devall.	Merritt.
Dunagan.	Metcalfe.
Engelhard.	Mitcham.
Fain.	Moffett.
Ford.	Moore.
Fuchs.	Morrison.
Glass.	Morse.
Good.	Nicholson.
Goodman.	Palmer.
Graves.	Patterson.
Griffith.	Pope.
Haag.	Puryear.
Hankamer.	Ramsey.
Harman.	Ratliff.
Hartzog.	Ray.
Head.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill of Brazoria.	Rogers of Hunt.
Hodges.	Rollins.
Holekamp.	Ross.
Holland.	Russell.
Hoskins.	Savage.
Huddleston.	Scarborough.

Scott.	Townsend.
Shannon.	Turlington.
Shults.	Van Zandt.
Stanfield.	Vaughan.
Steward.	Wagstaff.
Stinson.	Walker.
Stovall.	Wells.
Sullivant.	West.
Tennyson.	Wood.
Thomas.	Young.
Tillery.	

## Nays—2

Aikin.	Lindsey.
--------	----------

## Absent

Barrett.	Hyder.
Barron.	Johnson
Bradley.	of Anderson.
Butler.	Jones of Atascosa.
Cathey.	Long.
Caven.	Mathis.
Chastain.	McDougald.
Clayton.	McGregor.
Colson.	McKee.
Cowley.	Munson.
Crossley.	Parkhouse.
Dunlap.	Pavlica.
Duval.	Reader.
Dwyer.	Renfro.
Few.	Riddle.
Fisher.	Roberts.
Golson.	Rogers
Greathouse.	of Ochiltree.
Harris.	Smith.
Harrison.	Tarwater.
Hester.	Weinert.
Hill of Webb.	Winningham.
Holloway.	

## Absent—Excused

Johnson of Dimmit.

## HOUSE BILL NO. 612 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 612, A bill to be entitled "An Act to provide for the propagation and raising of fresh-water game fish in privately-owned ponds and lakes, or in streams connecting such privately-owned ponds, or lakes, and not subject to overflow, or directly connected with any public lake or public navigable stream, as defined by the laws of Texas; and prescribing conditions and regulations under which such privately-owned game fish may be sold, and providing penalties for violation, and repealing all laws in conflict with this Act, and declaring an emergency."

The bill was read second time.

Mr. Kyle of Palo Pinto offered the following amendments to the bill:

## (1)

Amend House Bill No. 612 by striking out all below the enacting clause, and substituting in lieu thereof the following:

"Section 1. That persons and corporations, domiciled in this State, and owning in fee, or controlling by lease, private ponds or lakes, as defined in this Act, are eligible to secure from the State Game, Fish, and Oyster Commission a franchise to establish and conduct a private fish farm or private fish hatchery, to stock the same as provided in this Act, to own, propagate, and raise such game fish; and to offer for sale, and sell, at any season of the year, for restocking purposes, or for food in lawful season, under the conditions and regulations herein prescribed. Provided, however, nothing in this Act shall be construed to give anyone the right to sell game fish caught in public or navigable streams in Texas.

"Sec. 2. Defining 'private fish farms' with ponds or lakes. 'A private fish farm' or 'fish hatchery' shall be any privately-owned or leased property having on it a private pond or lake not connected either directly by water or by flood overflows from any public or navigable stream or lake. Such private ponds or lakes may be created legally in any of the following ways: (1) By building a dam or making an excavation to catch the water from an artesian or other well, or from a spring, or by catching surface rain water. (2) If such private lake or pond is created by building a dam on a spring branch or creek, such dam must be located at least one-half mile from where that creek or stream flows into a navigable or public stream or lake, and be not subject to overflow therefrom, and have no fish ladder, or race, or other means whereby fish from the public or navigable stream may have ingress to said private pond or lake. (3) Water may be taken by gravity or by pumping from a public lake or stream or from an irrigation ditch connected with such public lake or stream and used to form such private pond or lake, in the meaning of this Act; provided, adequate fine mesh screens are so placed as to prevent the fish from the public waters getting into the private pond or lake.

"Sec. 3. Providing a franchise and franchise tax for private fish farms. The Game, Fish, and Oyster Commission of Texas shall grant to any person, a citizen of this State, or to any corporation in good standing in this State, a franchise to operate a private fish farm, or hatchery, who shall show control by ownership, or lease of adequate ponds or lakes with a sufficient supply of fresh water, proper finances, and equipment, reasonable knowledge of fish culture, and shall pay an annual fee of five dollars (\$5) as a franchise tax. All franchises shall expire on August 31, of each year, but if the first payment be made after January 1, that franchise shall run until August 31 of the succeeding year. All such franchises shall be renewed, if accompanied by a report of all fish on hand during the current year, all fish sold, and to whom sold; and all such transactions shall be duly recorded and kept in a properly bound book kept for that purpose, and provided, that the franchise tax of five dollars be paid. If, however, any owner or operator of a fish farm or hatchery shall be convicted of violation of the fish laws of Texas, he shall be subject to the fines and penalties hereinafter named, and shall not be eligible to renew or receive a franchise to operate a fish farm, or hatchery, for a period of three years from that date.

"Sec. 4. Providing for the sale of fresh-water game fish. Game fish of any and all kinds, raised in private ponds or lakes, and so designated and licensed by the State Game, Fish, and Oyster Commission may be offered for sale and sold at any open season of the year, and for stocking purposes, or for food, or for any other purpose legally allowed; provided, however, they shall be sold under the following conditions:

"(1) Any person may purchase the privilege of entering a private fish pond or lake, on payment of the price agreed upon with the owner of that private fish pond or lake, and catch fish in any amount agreed upon with said owner; provided, that the number and size of such fish caught shall not exceed the number fixed by the State fish laws. Such fish may be transported under existing laws, and may be used as food; but may not be resold by the person catching them, unless he hold a franchise or license from

the State permitting him to sell fresh-water game fish.

"(2) Fresh-water game fish from private lakes or ponds, operated under franchise from the State, may be offered for sale, and sold, for stocking, or food, or other legal purpose, provided, each fish sold shall be accompanied by an invoice on State invoice paper and a tag, and invoice shall show the name and or number of the private fish pond, or hatchery, selling the fish, and the name of the owner and or operator of same; tag shall show numbers only. Any owner and operator selling such fish without giving invoice and tag, as prescribed, shall, on conviction, be adjudged guilty of a misdemeanor, and be subject to a fine of not less than \$25, nor more than \$100, for each offense. Provided, however, that in the sale of fingerlings, or little fish, for stocking purposes, it shall not be necessary to give tags, but only an invoice.

"(3) Reputable wholesale and retail fish dealers of Texas shall have the right to purchase and re-sell fresh-water game fish, but shall be required to secure a franchise to do this, and shall pay a franchise tax of \$10 per year. They must also give an invoice on State invoice form, showing the number, name, and location of the fish farm from whom said fish were purchased, and they must give with each fish sold the State tag furnished by the original breeder of the fish. Failure to furnish such invoice and tag, or tags, shall subject such dealer to a fine of not less than \$25, and not more than \$100, for each offense, and shall forfeit his license to sell fresh-water game fish, which may not be renewed for a period of three years from date of said conviction.

"(4) Any person in this State who shall sell or purchase a fresh-water game fish—except catfish in those counties where, under existing laws, sale of such catfish is permitted—which fresh-water game fish so sold or purchased is not accompanied by a State tag, shall be guilty of a misdemeanor, and subject to a fine of \$25 for each fish so sold, or purchased.

"Sec. 5. Transportation of fresh-water game fish from private ponds or hatcheries.

"It shall be lawful for any legalized carrier of freight or express to transport fresh-water game fish raised in licensed fish ponds or hatcheries,

either dead or alive, provided, such shipment shall have with it facsimile of the State permit granted to the owner and/or operator of a licensed fish pond or hatchery, or is a licensed wholesale or retail fish dealer, showing name and number of said fish breeder or fish dealer with post-office address, and bearing facsimile of the signature of the Chief Commissioner or the Secretary of the State Game, Fish, and Oyster Commission. Further, if any fish, or attempted shipment of fish, shall have been seized by any agent of the State Game, Fish, and Oyster Commission, or of the United States Government, or of any other State's game or fish commission, it shall be legal for such agent seizing such fish to attach an invoice to such fish and ship it. All such validations for shipment shall be legal for a period of thirty days from the initial shipment date.

"(2) It shall be lawful to transport fresh-water game fish secured from licensed private ponds, lakes, or hatcheries, by means of private autos or trucks, provided said shipment is accompanied by invoice and tag or tags as herein provided.

"(3) Transportation of fingerlings, small fry, or fish eggs shall be lawful by any of the foregoing methods, provided shipments are accompanied by breeder's or dealer's invoices. So too shall it be lawful to transport imported fresh-water game fish, provided same is accompanied by a valid importer's invoice, and by a permit from the State Game, Fish, and Oyster Commission.

"(4) Game fish raised in a licensed private pond or hatchery, may be transported out of this State, if accompanied by an invoice as hereinbefore provided.

"(5) Nothing in this Act shall be construed to change the rules and regulations or laws governing the shipment of wild game fish captured in waters not licensed as private fish ponds, lakes, or hatcheries.

"(6) Nothing herein shall make the carrier liable for transportation of game fish, when same is transported without charge or waybill, and is in the possession of a passenger. But such fact shall exempt such shipment from seizure, if unlawfully captured or held.

"Sec. 6. Storage permits and regulations for game fish propagated and sold at private fish farms.

"Persons having captured or purchased game fish from a private, licensed fish farm or lake shall have the right to store same in a public or private cold storage plant, for a period of ninety days, provided invoices or tags shall be attached to such game fish in cold storage, proving its place or origin and sale or purchase. If for any reason storage for a period longer than ninety days is wished, permit for such storage may be secured from the Game, Fish, and Oyster Commission for a period longer on payment of a fee of \$1 for each dozen fish or fraction thereof. Anticipating the establishing of the new frozen food industry in Texas, it shall be the policy of this State not to interfere, where it shall be clearly shown by invoices and tags that such game fish were propagated and raised on private licensed fish farms or lakes.

"Sec. 7. Serving of fresh-water game fish as food.

"No fresh-water game fish shall be held in possession of or placed upon the table of any hotel, restaurant, cafe, or boarding house, or other place where food is sold, except under the following conditions:

"(1) Where the fish served shall have been purchased from a licensed fish dealer or operator of a licensed fish farm, lake, or park, and person serving same shall have in his possession and show on a demand proper State invoice showing origin or sale, and dealer from whom purchased and tag or tags for the specific fish or fishes served, said tags shall be placed on the dish on which the game fish is served as food. It shall be the duty of the person ordering such fish to destroy the tag or tags accompanying it or them. If he fails or neglects to do this, then the persons selling and serving such fish shall destroy, in the presence of the purchaser, the said tag or tags. Failure or neglect to so destroy them shall constitute a misdemeanor and be punishable by a fine of not less than \$25 for each offense and not more than \$100 for each offense.

"(2) At any time in the year when the game fish has been imported into the State, and held in possession or sold in accordance with the laws governing the importation of fish.

"(3) During the open season, and for five days thereafter, when the fish shall have been lawfully caught



and held, and is served at the request of the person so holding it lawfully, and for the personal use of such person, and his invited guests.

"(4) All permits, invoices, and copies of invoices shall be preserved by the proprietor of such hotel, restaurant, cafe, or boarding house, etc. At the end of every thirty days, he shall forward all such invoices of fish sold for food to the Game, Fish, and Oyster Commission, with a tabulated list of same, duly certified before a notary public as correct, keeping for his own records a copy, which may be inspected at any time by the proper accredited agents or officials of the Game, Fish, and Oyster Commission.

"Sec. 8. Private fish farms, licensed, as provided herein, may purchase or procure stock from which to breed fish in the following ways:

"(1) By purchase from Federal or State hatcheries at prices fixed by the United States Fish Commission, or by the State Game, Fish, and Oyster Commission of Texas.

"(2) By purchase from other licensed private fish farms or lakes, under the conditions and regulations herein prescribed for the sale of fish.

"(3) Fish caught lawfully in the open season, at the prescribed limit in size and number, may be used as brood stock for the raising of fish in private ponds or lakes, licensed under this Act.

"(4) Brood stock may be procured by importation from other States or countries, under the laws and regulations governing the importation of game fish.

"Sec. 9. No game fish shall be imported into this State, except under the following conditions:

"(1) Game fish for propagation or stocking may be brought into this State from any other State, Territory, or Nation, and the Game, Fish, and Oyster Commission shall issue a certificate therefor without charge. But no one shall have the right to import fish without license as an importer, for which, fee of \$10 per year shall be paid.

"(2) Upon the receipt of the imported fish, the importer shall immediately attach thereto an invoice stating the number and place received from, the date of the reception, and the number of the importer's license, and shall sign same.

"(3) If importer shall sell or dispose of such imported fish, he shall make a true copy of the invoice of such fish on State invoice paper and furnish it to purchaser or donee.

"(4) Such invoice, or signed copies thereof so made, when kept attached to such imported fish, shall authorize the possession, sale, storage, and use of same, at any time during the year of the date thereof.

"Sec. 10. Property rights defined. Fish of any and all kinds, propagated, and raised in a licensed private fish farm, pond, or lake, under the meaning of this Act, shall be considered the private property of the owner thereof; and as such have all the rights of private property, police protection, inheritance, sale, etc., except with the restrictions herein provided.

"Sec. 11. The Game, Fish, and Oyster Commission shall establish a section, or bureau, in its organization for handling all matters pertaining to fresh-water fish. The Commission shall keep on hand an adequate supply of invoices and tags, and shall sell these to licensed fish breeders and dealers exactly at cost of manufacture, without any addition for overhead or other expense. The Commission shall accumulate and furnish information to those desiring to become breeders of fresh-water fish, and through its game wardens shall furnish proper check and inspection, and also encouragement to those citizens engaged in this industry. The reports of fish breeders and dealers made monthly to the Commission shall be kept private, so that no man's business secrets shall become the property of his competitors.

"Sec. 12. Any person violating any provision of this Act shall be deemed guilty of misdemeanor and, upon conviction, shall be fined in a sum not less than \$25, and not more than \$100, for each offense, and any dealer or fish breeder convicted of violations under this Act shall forfeit his license as a breeder, or dealer, in fresh-water fish, and may not renew same for a period of three years from date of conviction.

"Sec. 13. For the purpose of this Act, bass, including large-mouthed black bass (*Micropterus salmoides*), spotted bass (*Micropterus pseudaplites*), rock bass (*Ambloplites rupestris*), yellow bass (*Chrysoperca inter-*

rupta), white bass (*Lepibema chrysops*), and small-mouthed black bass (*Micropterus dolomieu*); crappie, or white perch, including white crappie (*Pomoxis annularis*), and calico bass (*Pomoxis sparoides*), warmouth (*Chaenobryttus gulosus*), commonly referred to as goggle-eye, green sunfish (*Apomotis cyanellus*), commonly referred to as goggle-eye, blue gill, and other sunfish, commonly referred to as bream, including (*Helioperca incisor*), long-eared sunfish (*Xenotis megalotis*), and channel catfish (*Ictalurus punctatus*) are hereby declared to be, and are defined as, the game fish of this State.

"Sec. 14. All laws and parts of laws in conflict herewith are hereby repealed.

"Sec. 15. Whereas, there is no adequate law in this State providing for the breeding of fish in captivity, and whereas, citizens of this State are not given opportunities, which are given to citizens of other States of engaging in the avocation of fish breeding; and whereas, there is a great public demand for this privilege, create an emergency and an imperative public necessity that the rule, requiring bills to be read on three separate days, be suspended, and the same is hereby suspended, and this Act shall become effective from and after its passage, and it is so enacted."

(2)

Amend House Bill No. 612 by striking out all above the enacting clause, and substituting in lieu thereof the following:

"H. B. No. 612,

#### A BILL

#### To Be Entitled

An Act to provide for the propagation and raising of fresh-water game fish, in privately-owned ponds and lakes, or in streams connecting such privately-owned ponds, or lakes, and not subject to overflow, or directly connected with any public lake, or public navigable stream, as defined by the laws of Texas; and prescribing conditions and regulations under which such privately-owned game fish may be sold, and providing penalties for violation, and describing game fish, and repealing all laws in conflict with this Act; and declaring an emergency."

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 612 was then passed to engrossment.

#### HOUSE BILL NO. 612 ON THIRD READING

Mr. Kyle of Palo Pinto moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 612 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108

Adamson.	Hughes.
Aikin.	Hunt.
Alexander.	Hyder.
Alsup.	Jackson.
Anderson	James.
of Bexar.	Jefferson.
Anderson	Jones of Runnels.
of Johnson.	Jones of Shelby.
Baker.	Kayton.
Beck.	Kyle of Hays.
Bedford.	Kyle of Palo Pinto.
Bourne.	Laird.
Burns.	Lemens.
Calvert.	Leonard.
Canon.	Lindsey.
Coombes.	Lotief.
Crossley.	Magee.
Daniel.	Mackay.
Dean.	Mathis.
Devall.	McClain.
Dunagan.	McDougald.
Engelhard.	McKee.
Fain.	Merritt.
Few.	Metcalf.
Ford.	Mitcham.
Fuchs.	Moffett.
Glass.	Moore.
Golson.	Morrison.
Good.	Morse.
Goodman.	Nicholson.
Graves.	Palmer.
Griffith.	Patterson.
Haag.	Puryear.
Hankamer.	Ramsey.
Harman.	Ratliff.
Hartzog.	Ray.
Head.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hill of Brazoria.	Roberts.
Hodges.	Rogers of Hunt.
Holekamp.	Rogers
Holland.	of Ochiltree.
Hoskins.	Rollins.
Huddleston.	Ross.

Russell.  
Savage.  
Scott.  
Shannon.  
Shults.  
Stanfield.  
Steward.  
Stinson.  
Stovall.  
Sullivant.  
Tarwater.  
Tennyson.

Thomas.  
Tillery.  
Townsend.  
Turlington.  
Van Zandt.  
Vaughan.  
Wagstaff.  
Weinert.  
Wells.  
Wood.  
Young.

## Absent

Barrett.  
Barron.  
Bradley.  
Butler.  
Camp.  
Cathey.  
Caven.  
Chastain.  
Clayton.  
Colson.  
Cowley.  
Davidson.  
Dunlap.  
Duvall.  
Dwyer.  
Fisher.  
Greathouse.  
Harris.  
Harrison.  
Hester.  
Hill of Webb.

Holloway.  
Johnson  
of Anderson.  
Jones of Atascosa.  
Latham.  
Long.  
McCullough.  
McGregor.  
Munson.  
Parkhouse.  
Pavlica.  
Pope.  
Reader.  
Renfro.  
Riddle.  
Scarborough.  
Smith.  
Walker.  
West.  
Winningham.

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid House Bill No. 612 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—105

Adamson.  
Alexander.  
Alsup.  
Anderson  
of Bexar.  
Anderson  
of Johnson.  
Baker.  
Beck.  
Burns.  
Calvert.  
Camp.  
Canon.  
Caven.  
Chastain.  
Coombes.  
Crossley.  
Daniel.  
Davidson.

Dean.  
Devall.  
Dunagan.  
Engelhard.  
Fain.  
Few.  
Ford.  
Fuchs.  
Glass.  
Golson.  
Good.  
Goodman.  
Graves.  
Griffith.  
Hankamer.  
Harman.  
Head.  
Hicks.  
Hodges.

Holekamp.  
Holland.  
Hoskins.  
Huddleston.  
Hughes.  
Hunt.  
Hyder.  
Jackson.  
James.  
Jefferson.  
Jones of Runnels.  
Jones of Shelby.  
Kayton.  
Kyle of Hays.  
Kyle of Palo Pinto.  
Laird.  
Latham.  
Lindsey.  
Lotief.  
Mackay.  
Magee.  
Mathis.  
McClain.  
McCullough.  
McDougald.  
McKee.  
Merritt.  
Metcalf.  
Moffett.  
Moore.  
Morrison.  
Morse.  
Nicholson.  
Palmer.  
Parkhouse.

Patterson.  
Pope.  
Purvey.  
Ramsey.  
Ratliff.  
Ray.  
Reed of Bowie.  
Reed of Dallas.  
Roberts.  
Rogers of Hunt.  
Rogers  
of Ochiltree.  
Rollins.  
Ross.  
Savage.  
Scarborough.  
Scott.  
Shannon.  
Shults.  
Stanfield.  
Stinson.  
Stovall.  
Sullivant.  
Tarwater.  
Tennyson.  
Thomas.  
Tillery.  
Turlington.  
Van Zandt.  
Vaughan.  
Wagstaff.  
Weinert.  
Wells.  
Wood.  
Young.

## Nays—2

Haag.

## Absent

Barrett.  
Barron.  
Bedford.  
Bourne.  
Bradley.  
Butler.  
Cathey.  
Clayton.  
Colson.  
Cowley.  
Dunlap.  
Duvall.  
Dwyer.  
Fisher.  
Greathouse.  
Harris.  
Harrison.  
Hartzog.  
Hester.  
Hill of Brazoria.  
Hill of Webb.

Holloway.  
Johnson  
of Anderson.  
Jones of Atascosa.  
Lemens.  
Leonard.  
Long.  
McGregor.  
Mitcham.  
Munson.  
Pavlica.  
Reader.  
Renfro.  
Riddle.  
Russell.  
Smith.  
Steward.  
Townsend.  
Walker.  
West.  
Winningham.

## Absent—Excused

Johnson  
of Dimmit.

HOUSE BILL NO. 616 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 616, A bill to be entitled "An Act amending Article 7047, of the Revised Civil Statutes, 1925, by repealing House Bill No. 102, as passed by the Forty-first Legislature, Second Called Session, 1929, and approved by the Governor of Texas, June 24, 1929; and repealing Senate Bill No. 127, 'Regulating and providing for supervision of emigrant agents,' passed by the Forty-first Legislature, Second Called Session, 1929, and effective without the Governor's signature, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 616 ON THIRD  
READING

Mr. Moore moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 616 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105

Adamson.	Golson.
Aikin.	Good.
Alexander.	Goodman.
Alsup.	Griffith.
Anderson	Haag.
of Bexar.	Hankamer.
Anderson	Harman.
of Johnson.	Hartzog.
Baker.	Head.
Beck.	Hicks.
Bedford.	Hodges.
Bourne.	Holekamp.
Burns.	Holland.
Calvert.	Hoskins.
Camp.	Huddleston.
Canon.	Hughes.
Caven.	Hyder.
Coombes.	Jackson.
Daniel.	James.
Davidson.	Jefferson.
Dean.	Jones of Runnels.
Devall.	Jones of Shelby.
Dunagan.	Kayton.
Engelhard.	Kyle of Hays.
Fain.	Kyle of Palo Pinto.
Few.	Laird.
Ford.	Latham.
Fuchs.	Leonard.
Glass.	Lindsey.

Lotief.	Rollins.
Magee.	Ross.
Mackay.	Russell.
McClain.	Savage.
McCullough.	Scarborough.
McDougald.	Scott.
Merritt.	Shannon.
Metcalfe.	Shults.
Mitcham.	Stanfield.
Moffett.	Steward.
Moore.	Stinson.
Morse.	Stovall.
Nicholson.	Tarwater.
Palmer.	Thomas.
Patterson.	Tillery.
Pope.	Townsend.
Puryear.	Turlington.
Ramsey.	Van Zandt.
Ratliff.	Vaughan.
Reed of Bowie.	Wagstaff.
Reed of Dallas.	Weinert.
Roberts.	Wells.
Rogers of Hunt.	West.
Rogers	Wood.
of Ochiltree.	Young.

Nays—1

Hunt.

Absent

Barrett.	Johnson
Barron.	of Anderson.
Bradley.	Jones of Atascosa.
Butler.	Lemens.
Cathey.	Long.
Chastain.	Mathis.
Clayton.	McGregor.
Colson.	McKee.
Cowley.	Morrison.
Crossley.	Munson.
Dunlap.	Parkhouse.
Duvall.	Pavlica.
Dwyer.	Ray.
Fisher.	Reader.
Graves.	Renfro.
Greathouse.	Riddle.
Harris.	Smith.
Harrison.	Sullivant.
Hester.	Tennyson.
Hill of Brazoria.	Walker.
Hill of Webb.	Winningham.
Holloway.	

Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid House Bill No. 616 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—110

Adamson.	Alexander.
Aikin.	Alsup.

Anderson of Bexar.	Lotief.
Anderson of Johnson.	Mackay.
Baker.	Magee.
Beck.	McClain.
Bedford.	McCullough.
Bourne.	McDougald.
Burns.	McKee.
Calvert.	Merritt.
Camp.	Metcalf.
Canon.	Mitcham.
Caven.	Moffett.
Coombes.	Moore.
Daniel.	Morrison.
Davidson.	Morse.
Dean.	Nicholson.
Devall.	Palmer.
Dunagan.	Patterson.
Engelhard.	Pope.
Fain.	Puryear.
Few.	Ramsey.
Ford.	Ratliff.
Fuchs.	Ray.
Glass.	Reed of Bowie.
Golson.	Reed of Dallas.
Good.	Roberts.
Goodman.	Rogers of Hunt.
Graves.	Rogers of Ochiltree.
Griffith.	Rollins.
Haag.	Ross.
Hankamer.	Russell.
Harman.	Savage.
Hartzog.	Scarborough.
Head.	Scott.
Hicks.	Shannon.
Hodges.	Shults.
Holekamp.	Stanfield.
Holland.	Steward.
Hoskins.	Stinson.
Huddleston.	Stovall.
Hughes.	Tarwater.
Hunt.	Tennyson.
Jackson.	Thomas.
James.	Tillery.
Jefferson.	Townsend.
Jones of Runnels.	Turlington.
Jones of Shelby.	Van Zandt.
Kayton.	Vaughan.
Kyle of Hays.	Wagstaff.
Kyle of Palo Pinto.	Weinert.
Laird.	Wells.
Latham.	West.
Leonard.	Wood.
Lindsey.	Young.

## Absent

Barrett.	Dunlap.
Barron.	Duvall.
Bradley.	Dwyer.
Butler.	Fisher.
Cathey.	Greathouse.
Chastain.	Harris.
Clayton.	Harrison.
Colson.	Hester.
Cowley.	Hill of Brazoria.
Crossley.	Hill of Webb.

Holloway.	Parkhouse.
Hyder.	Pavlica.
Johnson	Reader.
of Anderson.	Renfro.
Jones of Atascosa.	Riddle.
Lemens.	Smith.
Long.	Sullivant.
Mathis.	Walker.
McGregor.	Winningham.
Munson.	

## Absent—Excused

Johnson  
of Dimmit.

HOUSE BILL NO. 442 ON FINAL  
PASSAGE

Mr. Kayton moved to reconsider the vote by which House Bill No. 442 was passed.

The motion to reconsider prevailed.

House Bill No. 442 was then passed by the following vote:

## Yeas—107

Adamson.	Holland.
Aikin.	Hoskins.
Alexander.	Huddleston.
Alsup.	Hughes.
Anderson	Hunt.
of Bexar.	Hyder.
Anderson	Jackson.
of Johnson.	James.
Baker.	Jefferson.
Beck.	Jones of Atascosa.
Bedford.	Jones of Shelby.
Bourne.	Kayton.
Burns.	Kyle of Hays.
Calvert.	Kyle of Palo Pinto.
Camp.	Laird.
Canon.	Latham.
Caven.	Leonard.
Coombes.	Lindsey.
Daniel.	Lotief.
Davidson.	Magee.
Devall.	Mackay.
Dunagan.	Mathis.
Engelhard.	McClain.
Fain.	McCullough.
Few.	McKee.
Ford.	Merritt.
Fuchs.	Metcalf.
Glass.	Mitcham.
Golson.	Moffett.
Good.	Moore.
Goodman.	Morrison.
Graves.	Morse.
Haag.	Palmer.
Hankamer.	Patterson.
Harman.	Pope.
Hartzog.	Ramsey.
Head.	Ratliff.
Hicks.	Ray.
Hodges.	Reed of Bowie.
Holekamp.	Reed of Dallas.

Roberts.	Stovall.
Rogers of Hunt.	Sullivant.
Rogers	Tarwater.
of Ochiltree.	Tennyson.
Rollins.	Thomas.
Ross.	Tillery.
Russell.	Townsend.
Savage.	Turlington.
Scarborough.	Van Zandt.
Scott.	Vaughan.
Shannon.	Wagstaff.
Shults.	Weinert.
Stanfield.	Wells.
Steward.	Wood.
Stinson.	Young.

## Nays—4

Dean.	McDougald.
Jones of Runnels.	Puryear.

## Absent

Barrett.	Hill of Brazoria.
Barron.	Hill of Webb.
Bradley.	Holloway.
Butler.	Johnson
Cathey.	of Anderson.
Chastain.	Lemens.
Clayton.	Long.
Colson.	McGregor.
Cowley.	Munson.
Crossley.	Nicholson.
Dunlap.	Parkhouse.
Duvall.	Pavlica.
Dwyer.	Reader.
Fisher.	Renfro.
Greathouse.	Riddle.
Griffith.	Smith.
Harris.	Walker.
Harrison.	West.
Hester.	Winningham.

## Absent—Excused

Johnson  
of Dimmit.

HOUSE BILL NO. 670 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 670, A bill to be entitled "An Act providing for the issuance of licenses for life, health, and accident insurance agents, and the cancellation thereof, regulating the conduct of persons and companies with reference to acting as, and through, life, health, and accident insurance agents, providing penalties, repealing laws in conflict, and declaring an emergency."

The bill was read second time.

Mr. Patterson offered the following committee amendment to the bill:

Amend House Bill No. 670 by inserting in last line, page 1, after word "license," a comma.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 670 was then passed to engrossment.

HOUSE BILL NO. 670 ON THIRD  
READING

Mr. Patterson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 670 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Adamson.	Head.
Aikin.	Hicks.
Alexander.	Hodges.
Alsup.	Holekamp.
Anderson	Holland.
of Bexar.	Hoskins.
Anderson	Huddleston.
of Johnson.	Hughes.
Baker.	Hunt.
Beck.	Jackson.
Bedford.	James.
Bourne.	Jefferson.
Burns.	Jones of Runnels.
Calvert.	Jones of Shelby.
Camp.	Kyle of Hays.
Canon.	Laird.
Caven.	Latham.
Chastain.	Leonard.
Coombes.	Lindsey.
Daniel.	Magee.
Davidson.	Mackay.
Dean.	McClain.
Devall.	McCullough.
Dunagan.	McDougald.
Engelhard.	McKee.
Fain.	Merritt.
Few.	Metcalfe.
Ford.	Mitcham.
Fuchs.	Moffett.
Glass.	Moore.
Golson.	Morrison.
Good.	Morse.
Goodman.	Nicholson.
Greathouse.	Palmer.
Griffith.	Patterson.
Haag.	Pope.
Hankamer.	Puryear.
Harman.	Ramsey.
Hartzog.	Ratliff.

Ray.  
Reed of Bowie.  
Reed of Dallas.  
Roberts.  
Rogers of Hunt.  
Rogers  
of Ochiltree.  
Rollins.  
Ross.  
Russell.  
Savage.  
Scarborough.  
Scott.  
Shannon.  
Shults.  
Stanfield.

Steward.  
Stinson.  
Stovall.  
Tarwater.  
Tennyson.  
Thomas.  
Tillery.  
Townsend.  
Turlington.  
Van Zandt.  
Weinert.  
Wells.  
West.  
Wood.  
Young.

Nays—1

Vaughan.

Absent

Barrett.	Johnson
Barron.	of Anderson.
Bradley.	Jones of Atascosa.
Butler.	Kayton.
Cathey.	Kyle of Palo Pinto.
Clayton.	Lemens.
Colson.	Long.
Cowley.	Lotief.
Crossley.	Mathis.
Dunlap.	McGregor.
Duvall.	Munson.
Dwyer.	Parkhouse.
Fisher.	Pavlica.
Graves.	Reader.
Harris.	Renfro.
Harrison.	Riddle.
Hester.	Smith.
Hill of Brazoria.	Sullivant.
Hill of Webb.	Wagstaff.
Holloway.	Walker.
Hyder.	Winningham.

Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid House Bill No. 670 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104

Adamson.	Calvert.
Alexander.	Camp.
Alsup.	Canon.
Anderson	Caven.
of Bexar.	Chastain.
Anderson	Coombes.
of Johnson.	Crossley.
Baker.	Daniel.
Beck.	Davidson.
Bedford.	Dean.
Bourne.	Devall.
Burns.	Dunagan.

Engelhard.  
Fain.  
Few.  
Ford.  
Fuchs.  
Glass.  
Golson.  
Good.  
Goodman.  
Graves.  
Greathouse.  
Griffith.  
Haag.  
Hankamer.  
Harman.  
Hartzog.  
Head.  
Hicks.  
Hodges.  
Holekamp.  
Holland.  
Hoskins.  
Huddleston.  
Hughes.  
Jackson.  
James.  
Jefferson.  
Jones of Runnels.  
Jones of Shelby.  
Kayton.  
Kyle of Hays.  
Laird.  
Latham.  
Leonard.  
Lotief.  
Magee.  
Mackay.  
McClain.  
McDougald.  
Merritt.  
Metcalf.  
Mitcham.

Moffett.  
Morrison.  
Morse.  
Nicholson.  
Palmer.  
Patterson.  
Pope.  
Ramsey.  
Ratliff.  
Ray.  
Reed of Dallas.  
Roberts.  
Rogers of Hunt.  
Rogers  
of Ochiltree.  
Rollins.  
Ross.  
Russell.  
Savage.  
Scarborough.  
Scott.  
Shannon.  
Shults.  
Stanfield.  
Steward.  
Stinson.  
Stovall.  
Tarwater.  
Tennyson.  
Thomas.  
Tillery.  
Townsend.  
Turlington.  
Van Zandt.  
Vaughan.  
Wagstaff.  
Walker.  
Wells.  
West.  
Wood.  
Young.

Nays—4

Aikin.	Purveyer.
McCullough.	Reed of Bowie.

Present—Not Voting

Lindsey.

Absent

Barrett.	Hill of Brazoria.
Barron.	Hill of Webb.
Bradley.	Holloway.
Butler.	Hunt.
Cathey.	Hyder.
Clayton.	Johnson
Colson.	of Anderson.
Cowley.	Jones of Atascosa.
Dunlap.	Kyle of Palo Pinto.
Duvall.	Lemens.
Dwyer.	Long.
Fisher.	Mathis.
Harris.	McGregor.
Harrison.	McKee.
Hester.	Moore.

Munson. Riddle.  
Parkhouse. Smith.  
Pavlica. Sullivant.  
Reader. Weinert.  
Renfro. Winningham.

Absent—Excused

Johnson  
of Dimmit.

# HOUSE BILL NO. 650 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 650, A bill to be entitled "An Act to amend Acts, 1929, Forty-first Legislature, Regular Session, page 523, Chapter 250, Section 2, relating to the giving of bond by commercial colleges, so as not to apply to commercial colleges that sell no scholarships or require no other advance payments; and declaring an emergency."

The bill was read second time.

Mr. Fain offered the following amendments to the bill:

(1)

Amend House Bill No. 650, Section 2, by adding at the end thereof the following:

"And in which commercial school, or college, there is an average annual enrollment of not more than seventy-five regularly enrolled students."

(2)

Amend House Bill No. 650, Section 1, by adding immediately after the word "collected," near the end of said Section, the word "exclusively."

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 650 was then passed to engrossment.

# HOUSE BILL NO. 650 ON THIRD READING

Mr. Fain moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 650 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Adamson.	Latham.
Aikin.	Leonard.
Alsup.	Lotief.
Anderson	Magee.
of Bexar.	Mackay.
Anderson	Mathis.
of Johnson.	McClain.
Baker.	McCullough.
Beck.	McDougald.
Bedford.	Merritt.
Bourne.	Metcalfe.
Burns.	Mitcham.
Calvert.	Moffett.
Camp.	Moore.
Canon.	Morrison.
Caven.	Morse.
Chastain	Nicholson.
Coombes.	Palmer.
Crossley.	Patterson.
Daniel.	Pope.
Davidson.	Puryear.
Dean.	Ramsey.
Devall.	Ratliff.
Dunagan.	Ray.
Engelhard.	Reed of Bowie.
Fain.	Reed of Dallas.
Few.	Roberts.
Ford.	Rogers of Hunt.
Fuchs.	Rogers
Glass.	of Ochiltree.
Golson.	Rollins.
Good.	Ross.
Goodman.	Russell.
Graves.	Savage.
Griffith.	Scarborough.
Haag.	Scott.
Hankamer.	Shannon.
Harman.	Shults.
Hartzog.	Stanfield.
Head.	Steward.
Hicks.	Stovall.
Hodges.	Sullivant.
Holekamp.	Tarwater.
Holland.	Tennyson.
Hoskins.	Thomas.
Huddleston.	Tillery.
Hunt.	Townsend.
Hyder.	Turlington.
Jackson.	Van Zandt.
James.	Vaughan.
Jefferson.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Weinert.
Kayton.	Wells.
Kyle of Hays.	West.
Kyle of Palo Pinto.	Wood.
Laird.	Young.

Nays—1

Lindsey.

Absent

Alexander.	Bradley.
Barrett.	Butler.
Barron.	Cathey.



Clayton.	Johnson
Colson.	of Anderson.
Cowley.	Jones of Atascosa.
Dunlap.	Lemens.
Duvall.	Long.
Dwyer.	McGregor.
Fisher.	McKee.
Greathouse.	Munson.
Harris.	Parkhouse.
Harrison.	Pavlica.
Hester.	Reader.
Hill of Brazoria.	Renfro.
Hill of Webb.	Riddle.
Holloway.	Smith.
Hughes.	Stinson.
	Winningham.

Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid House Bill No. 650 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—110

Adamson.	Hankamer.
Aikin.	Harman.
Alexander.	Harris.
Alsup.	Hartzog.
Anderson	Hicks.
of Bexar.	Hodges.
Anderson	Holekamp.
of Johnson.	Holland.
Baker.	Hoskins.
Beck.	Huddleston.
Bedford.	Hyder.
Bourne.	Jackson.
Burns.	James.
Calvert.	Jefferson.
Camp.	Jones of Runnels.
Canon.	Jones of Shelby.
Caven.	Kayton.
Chastain.	Kyle of Hays.
Coombes.	Kyle of Palo Pinto.
Crossley.	Laird.
Daniel.	Latham.
Davidson.	Leonard.
Dean.	Lotief.
Devall.	Mackay.
Dunagan.	Mathis.
Engelhard.	McClain.
Fain.	McCullough.
Few.	McKee.
Ford.	Merritt.
Fuchs.	Metcalf.
Glass.	Mitcham.
Golson.	Moffett.
Good.	Moore.
Goodman.	Morrison.
Graves.	Morse.
Greathouse.	Nicholson.
Griffith.	Palmer.
Haag.	Patterson.

Pope.	Steward.
Ramsey.	Stinson.
Ratliff.	Stovall.
Ray.	Sullivan.
Reed of Bowie.	Tarwater.
Reed of Dallas.	Thomas.
Roberts.	Tillery.
Rogers of Hunt.	Townsend.
Rogers	Turlington.
of Ochiltree.	Van Zandt.
Rollins.	Vaughan.
Ross.	Wagstaff.
Russell.	Walker.
Savage.	Weinert.
Scarborough.	Wells.
Scott.	West.
Shannon.	Wood.
Shults.	Young.
Stanfield.	

Present—Not Voting

Lindsey.

Puryear.

Absent

Barrett.	Hunt.
Barron.	Johnson
Bradley.	of Anderson.
Butler.	Jones of Atascosa.
Cathey.	Lemens.
Clayton.	Long.
Colson.	Magee.
Cowley.	McDougald.
Dunlap.	McGregor.
Duvall.	Munson.
Dwyer.	Parkhouse.
Fisher.	Pavlica.
Harrison.	Reader.
Head.	Renfro.
Hester.	Riddle.
Hill of Brazoria.	Smith.
Hill of Webb.	Tennyson.
Holloway.	Winningham.
Hughes.	

Absent—Excused

Johnson  
of Dimmit.

### HOUSE BILL NO. 663 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 663, A bill to be entitled "An Act authorizing any common school district, independent school district, consolidated common school district, consolidated independent school district, county line school district, consolidated county line school district, or rural school district to hold an election for the purpose of the cancellation and revocation of any unsold school bonds, and providing that such election shall be ordered

and held in the same form and manner provided for in voting such school bonds; providing for the cancellation and destruction of such unsold school bonds retired by reason of such election, and the adjustment of existing tax levies, and refund of any taxes levied and collected in anticipation of the sale of such school bonds; etc.; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

### HOUSE BILL NO. 663 ON THIRD READING

Mr. Dunlap moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 663 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Adamson.	Hicks.
Aikin.	Hodges.
Alexander.	Holekamp.
Alsup.	Holland.
Anderson	Hoskins.
of Bexar.	Huddleston.
Anderson	Hughes.
of Johnson.	Hyder.
Baker.	Jackson.
Beck.	James.
Bedford.	Jefferson.
Bourne.	Jones of Runnels.
Burns.	Jones of Shelby.
Calvert.	Kayton.
Camp.	Kyle of Palo Pinto.
Canon.	Laird.
Caven.	Latham.
Chastain.	Leonard.
Coombes.	Lindsey.
Daniel.	Lotief.
Davidson.	Magée.
Dean.	Mackay.
Devall.	McCullough.
Dunagan.	McDougald.
Engelhard.	McKee.
Fain.	Merritt.
Few.	Metcalfe.
Ford.	Mitcham.
Fuchs.	Moffett.
Glass.	Moore.
Golson.	Morrison.
Good.	Morse.
Goodman.	Nicholson.
Graves.	Palmer.
Greathouse.	Patterson.
Haag.	Pope.
Hankamer.	Puryear.
Harman.	Ramsey.
Harris.	Ratliff.
Hartzog.	Ray.

Reed of Bowie.	Stinson.
Reed of Dallas.	Stovall.
Roberts.	Sullivant.
Rogers of Hunt.	Tarwater.
Rogers	Tennyson.
of Ochiltree.	Thomas.
Rollins.	Tillery.
Ross.	Townsend.
Russell.	Turlington.
Savage.	Van Zandt.
Scarborough.	Vaughan.
Scott.	Wagstaff.
Shannon.	Walker.
Shults.	Wells.
Stanfield.	West.
Steward.	Young.

Nays—1

Wood.

Absent

Barrett.	Hunt.
Barron.	Johnson
Bradley.	of Anderson.
Butler.	Jones of Atascosa.
Cathey.	Kyle of Hays.
Clayton.	Lemens.
Colson.	Long.
Cowley.	Mathis.
Crossley.	McClain.
Dunlap.	McGregor.
Duvall.	Munson.
Dwyer.	Parkhouse.
Fisher.	Pavlica.
Griffith.	Reader.
Harrison.	Renfro.
Head.	Riddle.
Hester.	Smith.
Hill of Brazoria.	Weinert.
Hill of Webb.	Winningham.
Holloway.	

Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid House Bill No. 663 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—112

Adamson.	Burns.
Aikin.	Calvert.
Alexander.	Camp.
Alsup.	Canon.
Anderson	Caven.
of Bexar.	Chastain.
Anderson	Coombes.
of Johnson.	Crossley.
Baker.	Davidson.
Barron.	Dean.
Beck.	Devall.
Bourne.	Dunlap.
Bradley.	Dunagan.

Engelhard.	Moore.
Fain.	Morrison.
Few.	Morse.
Ford.	Nicholson.
Fuchs.	Palmer.
Glass.	Parkhouse.
Golson.	Patterson.
Good.	Pope.
Goodman.	Puryear.
Graves.	Ramsey.
Greathouse.	Ratliff.
Haag.	Ray.
Hankamer.	Reed of Bowie.
Harman.	Reed of Dallas.
Harris.	Roberts.
Hartzog.	Rogers of Hunt.
Hicks.	Rogers
Hodges.	of Ochiltree.
Holland.	Rollins.
Hoskins.	Ross.
Huddleston.	Russell.
Hughes.	Savage.
Jackson.	Scarborough.
James.	Shannon.
Jefferson.	Shults.
Jones of Runnels.	Stanfield.
Jones of Shelby.	Steward.
Kayton.	Stinson.
Kyle of Hays.	Stovall.
Kyle of Palo Pinto.	Tarwater.
Laird.	Tennyson.
Latham.	Thomas.
Leonard.	Tillery.
Lindsey.	Townsend.
Lotief.	Turlington.
Magee.	Van Zandt.
Mackay.	Vaughan.
Mathis.	Wagstaff.
McClain.	Walker.
McDougald.	Weinert.
McKee.	Wells.
Merritt.	West.
Metcalfe.	Wood.
Mitcham.	Young.
Moffett.	

**Absent**

Barrett.	Hunt.
Bedford.	Hyder.
Butler.	Johnson
Cathey.	of Anderson.
Clayton.	Jones of Atascosa.
Colson.	Lemens.
Cowley.	Long.
Daniel.	McCullough.
Duvall.	McGregor.
Dwyer.	Munson.
Fisher.	Pavlica.
Griffith.	Reader.
Harrison.	Renfro.
Head.	Riddle.
Hester.	Scott.
Hill of Brazoria.	Smith.
Hill of Webb.	Sullivant.
Holekamp.	Winningham.
Holloway.	

**Absent—Excused**

Johnson  
of Dimmit.

**HOUSE BILL NO. 762 ON SECOND READING**

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 762, A bill to be entitled "An Act to amend Article 2525, of Chapter 1, Title 47, of the Revised Civil Statutes of the State of Texas, of 1925, as amended by Chapter 57, of the Acts of the First Called Session of the Fortieth Legislature, by adding thereto appropriate provisions for periodical inquiries by the State Depository Board as to the rate of interest to be paid by State depositories and reserve depositories, conferring power on said Board to adjust such rate of interest from time to time, and providing that any State depository or reserve depository, considering itself to be aggrieved by such action of the Board, shall have the right to cancel its contract, as provided by Article 2537, of the Revised Civil Statutes; etc.; and declaring an emergency."

The bill was read second time.

Mr. Shannon offered the following committee amendments to the bill:

(1)

Amend House Bill No. 762 by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. That Articles 2525, 2528, and 2533, Chapter 1, Title 47, Revised Civil Statutes, as amended by Chapter 57, First Called Session, Fortieth Legislature, and Articles 2536, 2537, and 2539, Chapter 1, Title 47, Revised Civil Statutes, be each amended so as to hereafter read, respectively, as follows:

"Article 2525. Depository Board. The State Treasurer, as secretary, together with the State Comptroller and the Banking Commissioner, shall constitute the Depository Board. The said Board shall have the right to make such rules and regulations governing the establishment and conduct of State depositories and the handling of funds therein as the public interest may require, not inconsistent with the provisions of this Chapter, which said rules

and regulations shall be in writing and entered upon the minutes of said Board. Said Board shall, from time to time, but not oftener than once each calendar month, meet and inquire into the prevailing rate of interest being currently paid on out-of-town bank deposits by banks in the central reserve cities, and shall, by order in writing, spread upon its minutes \* \* \* adjust the rate of interest to be paid by State depositories and reserve depositories to such prevailing money market rate, and shall promptly thereafter notify each depository and reserve depository of its action in the premises. Whenever in this Chapter the word "Treasurer" is used it shall mean the State Treasurer, and the word "Board" shall mean the State Depository Board.

"Article 2528. Acceptance. When the Treasurer receives such application, he shall endorse thereupon the date of its receipt, and shall, on the first Monday in November, prepare three lists, giving the names of all applicants for funds and the amount applied for. One list shall be furnished each member of the Board. Said Board shall meet promptly thereafter and consider said applications, giving approval to those applicants that are acceptable, and having the power to reject those whose management or condition, in the opinion of the Board, does not warrant the placing of State funds in their possession. No application for State funds shall be granted to any bank whose liabilities for borrowed money are in excess of its capital stock, but the Board may, in its discretion, waive this provision. State depositories shall pay interest to the State on funds deposited with them on average daily net balances, payable to the Treasurer monthly, at a rate equivalent to the prevailing money market rate paid on out-of-town bank deposits by banks in the central reserve cities, such rate to be ascertained and established by the State Depository Board from time to time, but not oftener than once each calendar month, as is provided by Article 2525, as amended by this Act.

"Article 2533. Reserve Depositories. The Board shall designate one or more banks in centrally located cities to be known as reserve depositories, to be used for clearing checks and other obligations due the State,

and the Treasurer shall keep sufficient funds on deposit in said depositories to meet all current demands upon the State. All items received by the Treasurer for collection shall be deposited with such depositories for credit to the account of the Treasurer, and all checks drawn by the Treasurer for the payment of obligations due by the State may be drawn on a reserve depository, or on a State depository, so that the checks of the State may at all times pass current as cash. Reserve depositories shall pay interest to the State on funds deposited with them on average daily net balances, payable to the Treasurer monthly, at a rate equivalent to the prevailing money market rate paid on out-of-town bank deposits by banks in the central reserve cities, such rate to be ascertained and established by the State Depository Board from time to time, but not oftener than once each calendar month, as is provided by Article 2525, as amended by this Act; provided, however, the Treasurer is hereby authorized to waive the collection of such interest from any reserve depository on funds in like amount and for a like period of time such depository may be holding, at the request of the Treasurer, Treasury warrants drawn against the General Revenue Fund, to assist him in preventing the State from going on deficiency. All funds deposited with reserve depositories shall be subject to demand. The Board shall fix the amount of security to be required of any reserve depository and when so fixed, the reserve depository shall execute, or give security of the kind or kinds, provided for other State depositories.

"Article 2536. Extensions. If it should be found by the Board, at the expiration of any annual depository period, that any of the existing depository banks have not been or will not be selected as depositories for the ensuing period, and that the withdrawal of State funds at any particular depository bank will create a demand on such funds at any particular depository bank, which it will not be able to meet, though otherwise solvent, and if it should be further found by the Board that such action is warranted in the interest of the public welfare, then the Board shall have the discretion and authority to extend the time of payment of such funds into the State Treasury from time to time.

Such extensions shall not be made unless and until such depository bank executes a new application and gives security, as provided in this Chapter, covering such time as the Board may designate. Any depository bank receiving the benefits of this extension privilege shall pay a rate of interest 1 per centum per annum in excess of the then current rate as fixed by the Board.

“Article 2537. Cancellation of Contracts. Each depository shall have the right to cancel its depository contract upon accounting to the Treasurer for all funds deposited with it, (a) at the end of any year by giving thirty days' notice in advance, or (b) when the interest rate is increased by the Board.

“The Board shall have the right to terminate a contract with a depository at any time they deem it to the interest of the State to do so, upon giving the depository fifteen days' notice of such termination. The Treasurer may discontinue making deposits in any bank, when, in the opinion of the Board, the condition or management of the bank warrants such action on his part.

“Article 2539. Interest. Any State depository or reserve depository receiving State funds, under the provisions of this Chapter, shall pay to the Treasurer at the end of each month in the manner prescribed by him, interest on the average daily balance for said month, at the rate fixed by the Board.’

“Sec. 2. That Articles 2540, 2541, 2542, and 2543, Chapter 1, Title 47, Revised Civil Statutes, be, and the same are hereby, repealed.

“Sec. 3. The importance of this Act and the fact that it is to the best interest of the State in the handling of State funds, under the present economic conditions, that this Act become a law, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be suspended, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.”

(2)

Amend House Bill No. 762 by striking out all above the enacting clause,

and inserting in lieu thereof the following:

“H. B. No. 762,

A BILL

To Be Entitled

An Act amending Articles 2525, 2528, and 2533, Chapter 1, Title 47, Revised Civil Statutes, as amended by Chapter 57, First Called Session, Fortieth Legislature, so as to authorize the State Depository Board to fix periodically the rate of interest to be paid by State depositories and reserve depositories on State funds in lieu of the rates now specifically fixed by statute; substituting the chairman of the State Board of Control for the Attorney General as a member of the State Depository Board; and amending Articles 2536, 2537, and 2539, Chapter 1, Title 47, Revised Civil Statutes to conform therewith, and repealing Articles 2540, 2541, 2542, and 2543, Chapter 1, Title 47, Revised Civil Statutes; and declaring an emergency.”

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 762 was then passed to engrossment.

#### HOUSE BILL NO. 762 ON THIRD READING

Mr. Shannon moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 762 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Adamson.	Camp.
Aikin.	Canon.
Alexander.	Caven.
Alsup.	Chastain.
Anderson	Coombes.
of Bexar.	Crossley.
Anderson	Daniel.
of Johnson.	Davidson.
Baker.	Dean.
Beck.	Devall.
Bourne.	Dunlap.
Burns.	Dunagan.
Calvert.	Engelhard.

Fain.	Metcalfe.
Few.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Golson.	Morse.
Good.	Nicholson.
Goodman.	Parkhouse.
Graves.	Patterson.
Griffith.	Pope.
Haag.	Puryear.
Hankamer.	Ramsey.
Harman.	Ratliff.
Harris.	Ray.
Hartzog.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hodges.	Roberts.
Holekamp.	Rogers of Hunt.
Holland.	Rollins.
Hoskins.	Ross.
Huddleston.	Russell.
Hughes.	Savage.
Hunt.	Scott.
Hyder.	Shannon.
Jackson.	Shults.
James.	Stanfield.
Jefferson.	Steward.
Jones of Runnels.	Stinson.
Jones of Shelby.	Stovall.
Kayton.	Tarwater.
Kyle of Hays.	Tennyson.
Kyle of Palo Pinto.	Thomas.
Laird.	Tillery.
Latham.	Townsend.
Leonard.	Turlington.
Lindsey.	Van Zandt.
Lotief.	Vaughan.
Magee.	Wagstaff.
Mackay.	Walker.
McClain.	Wells.
McCullough.	West.
McDougald.	Wood.
Merritt.	Young.

## Nays—1

Greathouse.

## Absent

Barrett.	Johnson
Barron.	of Anderson.
Bedford.	Jones of Atascosa.
Bradley.	Lemens.
Butler.	Long.
Cathey.	Mathis.
Clayton.	McGregor.
Colson.	McKee.
Cowley.	Munson.
Duvall.	Palmer.
Dwyer.	Pavlica.
Fisher.	Reader.
Harrison.	Renfro.
Head.	Riddle.
Hester.	Rogers
Hill of Brazoria.	of Ochiltree.
Hill of Webb.	Scarborough.
Holloway.	Smith.

Sullivant.	Winningham.
Weinert.	

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid House Bill No. 762 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—106

Adamson.	Jones of Shelby.
Aikin.	Kayton.
Alexander.	Kyle of Hays.
Alsop.	Kyle of Palo Pinto.
Anderson	Laird.
of Bexar.	Latham.
Anderson	Lotief.
of Johnson.	Magee.
Baker.	Mackay.
Beck.	McClain.
Bourne.	McCullough.
Burns.	McDougald.
Calvert.	Merritt.
Camp.	Metcalfe.
Canon.	Mitcham.
Caven.	Moffett.
Chastain.	Moore.
Coombes.	Morrison.
Crossley.	Morse.
Daniel.	Nicholson.
Davidson.	Parkhouse.
Dean.	Patterson.
Devall.	Ramsey.
Dunlap.	Ratliff.
Dunagan.	Ray.
Engelhard.	Reed of Bowie.
Fain.	Reed of Dallas.
Few.	Roberts.
Ford.	Rogers of Hunt.
Fuchs.	Rogers
Glass.	of Ochiltree.
Golson.	Rollins.
Good.	Ross.
Goodman.	Russell.
Graves.	Savage.
Griffith.	Scott.
Haag.	Shannon.
Hankamer.	Shults.
Harris.	Stanfield.
Hartzog.	Steward.
Head.	Stinson.
Hicks.	Stovall.
Hodges.	Sullivant.
Holekamp.	Tarwater.
Holland.	Tennyson.
Hoskins.	Thomas.
Huddleston.	Tillery.
Hughes.	Townsend.
Hunt.	Turlington.
Jackson.	Van Zandt.
James.	Vaughan.
Jefferson.	Wagstaff.

Walker. Wood.  
Wells. Young.  
West.

Nays—3

Greathouse. Puryear.  
Lindsey.

Present—Not Voting

Pope.

Absent

Barrett.	Johnson
Barron.	of Anderson.
Bedford.	Jones of Atascosa.
Bradley.	Jones of Runnels.
Butler.	Lemens.
Cathey.	Leonard.
Clayton.	Long.
Colson.	Mathis.
Cowley.	McGregor.
Duvall.	McKee.
Dwyer.	Munson.
Fisher.	Palmer.
Harman.	Pavlica.
Harrison.	Reader.
Hester.	Renfro.
Hill of Brazoria.	Riddle.
Hill of Webb.	Scarborough.
Holloway.	Smith.
Hyder.	Weinert.
	Winningham.

Absent—Excused

Johnson  
of Dimmit.

#### HOUSE BILL NO. 799 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 799, A bill to be entitled "An Act to amend Article 1601, Chapter 5, Title 33, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts, 1927, Fortieth Legislature, Regular Session, page 264, Chapter 185, so as to require all indebtedness against a courthouse, or courthouses, shall be paid in full before the county seat of any county can be moved from its present location; repealing all laws or parts of laws in conflict herewith; declaring a rule of construction; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 799 ON THIRD READING

Mr. Haag moved that the constitu-

tional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 799 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Adamson.	Kayton.
Aikin.	Kyle of Hays.
Alexander.	Laird.
Alsup.	Lindsey.
Anderson	Long.
of Bexar.	Lotief.
Anderson	Magee.
of Johnson.	Mackay.
Baker.	McClain.
Bourne.	McCullough.
Burns.	Merritt.
Calvert.	Metcalfe.
Camp.	Mitcham.
Canon.	Moffett.
Chastain.	Moore.
Coombes.	Morrison.
Crossley.	Parkhouse.
Daniel.	Pope.
Davidson.	Puryear.
Dean.	Ramsey.
Devall.	Ratliff.
Dunlap.	Ray.
Dunagan.	Reed of Bowie.
Engelhard.	Reed of Dallas.
Fain.	Roberts.
Few.	Rogers of Hunt.
Ford.	Rogers
Fuchs.	of Ochiltree.
Glass.	Rollins.
Golson.	Ross.
Good.	Russell.
Graves.	Savage.
Greathouse.	Scott.
Griffith.	Shannon.
Haag.	Shults.
Hankamer.	Stanfield.
Harman.	Steward.
Harris.	Stovall.
Hartzog.	Sullivant.
Head.	Tarwater.
Hicks.	Tennyson.
Hodges.	Thomas.
Holekamp.	Tillery.
Holland.	Townsend.
Hoskins.	Turlington.
Hughes.	Van Zandt.
Hunt.	Wagstaff.
Hyder.	Walker.
Jackson.	Wells.
James.	West.
Jefferson.	Wood.
Jones of Runnels.	Young.
Jones of Shelby.	

Nays—3

Beck.	Vaughan.
Goodman.	

## Absent

Barrett.	Kyle of Palo Pinto.
Barron.	Latham.
Bedford.	Lemens.
Bradley.	Leonard.
Butler.	Mathis.
Cathey.	McDougald.
Caven.	McGregor.
Clayton.	McKee.
Colson.	Morse.
Cowley.	Munson.
Duvall.	Nicholson.
Dwyer.	Palmer.
Fisher.	Patterson.
Harrison.	Pavlica.
Hester.	Reader.
Hill of Brazoria.	Renfro.
Hill of Webb.	Riddle.
Holloway.	Scarborough.
Huddleston.	Smith.
Johnson	Stinson.
of Anderson.	Weinert.
Jones of Atascosa.	Winningham.

## Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid House Bill No. 799 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—104

Adamson.	Graves.
Aikin.	Greathouse.
Alexander.	Griffith.
Alsup.	Haag.
Anderson	Hankamer.
of Bexar.	Harman.
Anderson	Harris.
of Johnson.	Hartzog.
Baker.	Head.
Bourne.	Hicks.
Burns.	Hodges.
Calvert.	Holekamp.
Camp.	Holland.
Canon.	Hoskins.
Caven.	Huddleston.
Coombes.	Hughes.
Crossley.	Hunt.
Daniel.	Jackson.
Davidson.	James.
Dean.	Jefferson.
Devall.	Jones of Runnels.
Dunlap.	Jones of Shelby.
Dunagan.	Kayton.
Engelhard.	Kyle of Hays.
Fain.	Laird.
Few.	Latham.
Fuchs.	Lindsey.
Glass.	Lotief.
Golson.	Magee.
Good.	Mackay.

McClain.	Ross.
McCullough.	Russell.
McDougald.	Savage.
Merritt.	Scott.
Metcalfe.	Shannon.
Mitcham.	Shults.
Moffett.	Stanfield.
Moore.	Steward.
Morrison.	Stinson.
Morse.	Stovall.
Nicholson.	Tarwater.
Parkhouse.	Tennyson.
Patterson.	Thomas.
Pope.	Tillery.
Puryear.	Townsend.
Ramsey.	Turlington.
Ratliff.	Van Zandt.
Ray.	Wagstaff.
Reed of Dallas.	Walker.
Roberts.	Wells.
Rogers of Hunt.	West.
Rogers	Wood.
of Ochiltree.	Young.
Rollins.	

## Nays—3

Beck. Vaughan.  
Reed of Bowie.

## Absent

Barrett.	Johnson
Barron.	of Anderson.
Bedford.	Jones of Atascosa.
Bradley.	Kyle of Palo Pinto.
Butler.	Lemens.
Cathey.	Leonard.
Chastain.	Long.
Clayton.	Mathis.
Colson.	McGregor.
Cowley.	McKee.
Duvall.	Munson.
Dwyer.	Palmer.
Fisher.	Pavlica.
Ford.	Reader.
Goodman.	Renfro.
Harrison.	Riddle.
Hester.	Scarborough.
Hill of Brazoria.	Smith.
Hill of Webb.	Sullivant.
Holloway.	Weinert.
Hyder.	Winningham.

## Absent—Excused

Johnson  
of Dimmit.

## HOUSE BILL NO. 647 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 647, A bill to be entitled "An Act to amend Article 4686, of the Revised Civil Statutes of 1925, by prohibiting individuals, not otherwise



expressly permitted by statute, to engage in the business of insuring other against insurable losses; providing that the Board of Insurance Commissioners shall be satisfied that any insurance carrier applying for a certificate of authority has in all respects complied with the laws of this State; providing that it shall be the duty of the Board of Insurance Commissioners to issue to such qualified carrier a certificate of authority under its seal, authorizing such carrier to transact an insurance business, naming the particular kind of same, for a period of not more than twelve months, and such authority not to extend beyond the last day of February following the date of issuance of said certificate; defining the term 'carrier,' and declaring an emergency."

The bill was read second time.

Mr. Lindsey offered the following amendments to the bill:

(1)

Amend House Bill No. 647 by striking out all below the enacting clause, and insert in lieu the following:

"Section 1. That Article 4686 of the Revised Civil Statutes of Texas, 1925, be, and it is hereby, amended so as to hereafter read as follows:

"Article 4686. No individual or group of individuals, unless now or hereafter, otherwise permitted by statute, shall be permitted to engage in the business of insuring others against those losses which may be insured against under the laws of this State. Should the Board of Insurance Commissioners be satisfied that any insurance carrier applying for a certificate of authority has in all respects fully complied with the laws, and that if a stock company, its capital stock has been fully paid up, that it has the required amount of capital or surplus to policyholders, it shall be its duty to issue to such carrier a certificate of authority under its seal authorizing such carrier to transact insurance business, naming therein the particular kinds of insurance, for the period of not more than twelve months, and not extending beyond the last day of February next following the date of said certificate, unless the date is otherwise fixed by statute for the particular kind of insurance carrier."

"Section 2. The word 'carrier' as herein used is defined as that type of insurer which, in consideration of premium, issues policies to others insuring against those losses which may be insured against under the provisions of the law, including stock companies, mutual companies, reciprocals, or inter-insurance exchanges, or Lloyds associations.

"Sec. 3. The fact that there is now no law in this State prohibiting individuals from engaging in the insurance business, and no adequate law giving the Board of Insurance Commissioners express authority to exact full compliance with all the laws permitting and authorizing the various kinds of carriers engaged in the the insurance business in Texas, and the fact that there is no provision of law for granting a license for a period of less than three months in the State of Texas, create an emergency and an imperative public necessity requiring that the constitutional rule, providing that bills be read on three several days in each House, be suspended, and such rule is hereby suspended, and this bill shall take effect and be in full force and effect from and after its passage and approval, and it is so enacted."

(2)

Amend House Bill No. 647 by striking out all above the enacting clause, and insert in lieu thereof the following:

"H. B. No. 647,

#### A BILL

#### To Be Entitled

An Act to amend Article 4686, of the Revised Civil Statutes of 1925, by prohibiting individuals, not otherwise expressly permitted by statute, to engage in the business of insuring others against insurable losses, providing that the Board of Insurance Commissioners shall be satisfied that any insurance carrier applying for a certificate of authority has in all respects complied with the laws of this State; providing that it shall be the duty of the Board of Insurance Commissioners to issue to such qualified carrier a certificate of authority under its seal, authorizing such carrier to transact an

insurance business, naming the particular kinds of same, for a period of not more than twelve months, and such authority not to extend beyond the last day of February following the date of issuance of said certificate; defining the term 'carrier,' and declaring an emergency."

The amendments were severally adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 647 was then passed to engrossment.

### HOUSE BILL NO. 647 ON THIRD READING

Mr. Lindsey moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 647 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Adamson.	Hankamer.
Aikin.	Hartzog.
Alexander.	Head.
Alsup.	Hicks.
Anderson	Hodges.
of Bexar.	Holekamp.
Anderson	Hoskins.
of Johnson.	Huddleston.
Baker.	Hughes.
Beck.	Hunt.
Bourne.	Hyder.
Burns.	Jackson.
Calvert.	James.
Camp.	Jefferson.
Canon.	Jones of Runnels.
Caven.	Jones of Shelby.
Chastain.	Kayton.
Coombes.	Kyle of Hays.
Crossley.	Laird.
Daniel.	Latham.
Davidson.	Leonard.
Dean.	Lindsey.
Devall.	Long.
Dunlap.	Lotief.
Dunagan.	Mackay.
Engelhard.	Magee.
Fain.	McClain.
Few.	McDougald.
Ford.	McKee.
Fuchs.	Merritt.
Glass.	Metcalfe.
Golson.	Mitcham.
Goodman.	Moffett.
Greathouse.	Morrison.
Griffith.	Morse.

Nicholson.	Shannon.
Parkhouse.	Shults.
Pope.	Stanfield.
Purveyer.	Steward.
Ramsey.	Stovall.
Ratliff.	Sullivant.
Ray.	Tarwater.
Reed of Bowie.	Thomas.
Reed of Dallas.	Tillery.
Roberts.	Townsend.
Rogers of Hunt.	Turlington.
Rogers	Van Zandt.
of Ochiltree.	Wagstaff.
Rollins.	Wells.
Ross.	West.
Russell.	Wood.
Savage.	Young.
Scott.	

Nays—3

Tennyson.	Walker.
Vaughan.	

Absent

Barrett.	Holloway.
Barron.	Johnson
Bedford.	of Anderson.
Bradley.	Jones of Atascosa.
Butler.	Kyle of Palo Pinto.
Cathey.	Lemens.
Clayton.	Mathis.
Colson.	McCullough.
Cowley.	McGregor.
Duvall.	Moore.
Dwyer.	Munson.
Fisher.	Palmer.
Good.	Patterson.
Graves.	Pavlica.
Haag.	Reader.
Harman.	Renfro.
Harris.	Riddle.
Harrison.	Scarborough.
Hester.	Smith.
Hill of Brazoria.	Stinson.
Hill of Webb.	Weinert.
Holland.	Winningham.

Absent—Excused

Johnson  
of Dimmit.

The Speaker then laid House Bill No. 647 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—99

Adamson.	Burns.
Alexander.	Calvert.
Alsup.	Camp.
Anderson	Canon.
of Johnson.	Caven.
Baker.	Chastain.
Beck.	Coombes.
Bourne.	Davidson.

Dean.	Merritt.
Devall.	Metcalfe.
Dunlap.	Mitcham.
Dunagan.	Moffett.
Engelhard.	Moore.
Fain.	Morrison.
Few.	Morse.
Ford.	Nicholson.
Fuchs.	Parkhouse.
Glass.	Pope.
Golson.	Puryear.
Good.	Ramsey.
Goodman.	Ratliff.
Greathouse.	Ray.
Griffith.	Reed of Bowie.
Haag.	Reed of Dallas.
Hankamer.	Roberts.
Harris.	Rogers of Hunt.
Hartzog.	Rogers
Head.	of Ochiltree.
Hodges.	Rollins.
Holekamp.	Ross.
Holland.	Russell.
Hoskins.	Savage.
Huddleston.	Scott.
Hughes.	Shannon.
James.	Shults.
Jefferson.	Stanfield.
Jones of Runnels.	Steward.
Jones of Shelby.	Stinson.
Kayton.	Stovall.
Kyle of Hays.	Sullivant.
Laird.	Tarwater.
Latham.	Tillery.
Leonard.	Townsend.
Lindsey.	Turlington.
Long.	Van Zandt.
Lotief.	Wagstaff.
Mackay.	Wells.
Magee.	West.
McClain.	Wood.
McCullough.	Young.
McKee.	

## Nays—8

Aikin.	McDougald.
Anderson	Patterson.
of Bexar.	Vaughan.
Daniel.	Walker.
Hicks.	

## Absent

Barrett.	Hester.
Barron.	Hill of Brazoria.
Bedford.	Hill of Webb.
Bradley.	Holloway.
Butler.	Hunt.
Cathey.	Hyder.
Clayton.	Jackson.
Colson.	Johnson
Cowley.	of Anderson.
Crossley.	Jones of Atascosa.
Duvall.	Kyle of Palo Pinto.
Dwyer.	Lemens.
Fisher.	Mathis.
Graves.	McGregor.
Harman.	Munson.
Harrison.	Palmer.

Pavlica.	Smith.
Reader.	Tennyson.
Renfro.	Thomas.
Riddle.	Weinert.
Scarborough.	Winningham.

## Absent—Excused

Johnson of Dimmit.

## HOUSE BILL NO. 815 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 815, A bill to be entitled "An Act to amend Special Laws, 1920, Thirty-sixth Legislature, Third Called Session, page 75, Chapter 30, Subdivision 8, known as Senate Bill No. 8, so as to provide for three local taxpayers to sit as a board of equalization, of which one shall be secretary of said equalization board, and shall fix a time for the meeting of such board of equalization; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 815 ON THIRD READING

Mr. Scott moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 815 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104

Aikin.	Fain.
Alsup.	Few.
Anderson	Ford.
of Bexar.	Fuchs.
Anderson	Glass.
of Johnson.	Golson.
Baker.	Good.
Beck.	Goodman.
Bedford.	Graves.
Bourne.	Greathouse.
Burns.	Griffith.
Calvert.	Haag.
Canon.	Hankamer.
Caven.	Harris.
Chastain.	Head.
Coombes.	Hicks.
Crossley.	Hodges.
Daniel.	Holekamp.
Dean.	Holland.
Devall.	Hoskins.
Dunagan.	Huddleston.
Dwyer.	Hughes.
Engelhard.	Hunt.

Jackson.	Reed of Bowie.
Jefferson.	Reed of Dallas.
Jones of Runnels.	Roberts.
Jones of Shelby.	Rogers of Hunt.
Kayton.	Rogers
Kyle of Hays.	of Ochiltree.
Laird.	Rollins.
Latham.	Ross.
Leonard.	Russell.
Lindsey.	Savage.
Lotief.	Scott.
Magee.	Shannon.
Mackay.	Shults.
Mathis.	Stanfield.
McClain.	Steward.
McDougald.	Stinson.
McKee.	Stovall.
Merritt.	Sullivant.
Metcalfe.	Tarwater.
Mitcham.	Tennyson.
Moffett.	Thomas.
Moore.	Townsend.
Morrison.	Turlington.
Morse.	Van Zandt.
Nicholson.	Vaughan.
Patterson.	Wagstaff.
Pope.	Walker.
Puryear.	Wells.
Ramsey.	West.
Ratliff.	Wood.

## Nays—6

Davidson.	James.
Hartzog.	Lemens.
Hyder.	Tillery.

## Absent

Alexander.	Johnson
Barrett.	of Anderson.
Barron.	Jones of Atascosa.
Bradley.	Kyle of Palo Pinto.
Butler.	Long.
Camp.	McCullough.
Cathey.	McGregor.
Clayton.	Munson.
Colson.	Palmer.
Cowley.	Parkhouse.
Dunlap.	Pavlica.
Duvall.	Ray.
Fisher.	Reader.
Harman.	Renfro.
Harrison.	Riddle.
Hester.	Scarborough.
Hill of Brazoria.	Smith.
Hill of Webb.	Weinert.
Holloway.	Winningham.
	Young.

## Absent—Excused

Johnson of Dimmit.

The Speaker then laid House Bill No. 815 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—102

Adamson.	Lemens.
Aikin.	Leonard.
Alexander.	Long.
Alsup.	Lotief.
Anderson	Mackay.
of Bexar.	Magee.
Anderson	Mathis.
of Johnson.	McClain.
Baker.	McDougald.
Beck.	McKee.
Bedford.	Merritt.
Bourne.	Metcalfe.
Burns.	Mitcham.
Calvert.	Moffett.
Canon.	Moore.
Chastain.	Morrison.
Coombes.	Morse.
Crossley.	Nicholson.
Daniel.	Pope.
Davidson.	Puryear.
Dean.	Ramsey.
Devall.	Ratliff.
Dunagan.	Reed of Bowie.
Fain.	Reed of Dallas.
Few.	Roberts.
Fuchs.	Rogers of Hunt.
Glass.	Rogers
Golson.	of Ochiltree.
Good.	Rollins.
Goodman.	Ross.
Graves.	Russell.
Greathouse.	Savage.
Haag.	Scott.
Hankamer.	Shannon.
Harris.	Shults.
Hartzog.	Stanfield.
Head.	Steward.
Hicks.	Stinson.
Hodges.	Stovall.
Holekamp.	Sullivant.
Holland.	Tarwater.
Hoskins.	Tennyson.
Huddleston.	Thomas.
Hughes.	Townsend.
Hyder.	Turlington.
Jackson.	Van Zandt.
James.	Vaughan.
Jefferson.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Wells.
Kyle of Hays.	Wood.
Laird.	Young.
Latham.	

## Nays—3

Lindsey.	Tillery.
Ray.	

## Absent

Barrett.	Caven.
Barron.	Clayton.
Bradley.	Colson.
Butler.	Cowley.
Camp.	Dunlap.
Cathey.	Duvall.

Dwyer.	Kyle of Palo Pinto.
Engelhard.	McCullough.
Fisher.	McGregor.
Ford.	Munson.
Griffith.	Palmer.
Harman.	Parkhouse.
Harrison.	Patterson.
Hester.	Pavlica.
Hill of Brazoria.	Reader.
Hill of Webb.	Renfro.
Holloway.	Riddle.
Hunt.	Scarborough.
Johnson	Smith.
of Anderson.	Weinert.
Jones of Atascosa.	West.
Kayton.	Winningham.

Absent—Excused

Johnson of Dimmit.

### HOUSE BILL NO. 866 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 866, A bill to be entitled "An Act amending Section 2 of House Bill No. 83, passed by the Fifth Called Session of the Forty-first Legislature, by adding thereto Section 2-a, providing that motor vehicles from foreign States, or countries, can not lawfully operate in this State past the time limit extended by this State on license plates issued for any previous year."

The bill was read second time.

Mr. Kayton offered the following amendment to the bill:

Amend House Bill No. 866, page 1, line 18, by striking out words "passenger vehicle."

GOOD,  
KAYTON.

The amendment was adopted.

House Bill No. 866 was then passed to engrossment.

### HOUSE BILL NO. 866 ON THIRD READING

Mr. Kayton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 866 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101

Adamson.	Anderson
Aikin.	of Bexar.
Alsup.	

Anderson	Laird.
of Johnson.	Latham.
Baker.	Lemens.
Beck.	Leonard.
Bourne.	Lindsey.
Burns.	Magee.
Calvert.	Mackay.
Canon.	Mathis.
Caven.	McClain.
Chastain.	McDougald.
Coombes.	Merritt.
Crossley.	Metcalfe.
Daniel.	Mitcham.
Davidson.	Moffett.
Dean.	Moore.
Devall.	Morrison.
Dunagan.	Morse.
Engelhard.	Parkhouse.
Fain.	Patterson.
Few.	Ramsey.
Ford.	Ratliff.
Fuchs.	Ray.
Glass.	Reed of Dallas.
Golson.	Roberts.
Good.	Rogers of Hunt.
Goodman.	Rogers
Graves.	of Ochiltree.
Greathouse.	Rollins.
Griffith.	Ross.
Haag.	Russell.
Hankamer.	Savage.
Harman.	Scott.
Harris.	Shannon.
Hartzog.	Shults.
Head.	Stanfield.
Hicks.	Steward.
Hodges.	Stinson.
Holekamp.	Stovall.
Holland.	Tarwater.
Hoskins.	Thomas.
Huddleston.	Tillery.
Hughes.	Townsend.
Hyder.	Turlington.
Jackson.	Van Zandt.
James.	Vaughan.
Jefferson.	Wagstaff.
Jones of Runnels.	Walker.
Jones of Shelby.	Wood.
Kayton.	Young.
Kyle of Hays.	

### Nays—2

Puryear.	Reed of Bowie.
----------	----------------

### Absent

Alexander.	Dunlap.
Barrett.	Duvall.
Barron.	Dwyer.
Bedford.	Fisher.
Bradley.	Harrison.
Butler.	Hester.
Camp.	Hill of Brazoria.
Cathey.	Hill of Webb.
Clayton.	Holloway.
Colson.	Hunt.
Cowley.	

Johnson	Pope.
of Anderson.	Reader.
Jones of Atascosa.	Renfro.
Kyle of Palo Pinto.	Riddle.
Long.	Scarborough.
Lotief.	Smith.
McCullough.	Sullivant.
McGregor.	Tennyson.
McKee.	Weinert.
Munson.	Wells.
Nicholson.	West.
Palmer.	Winningham.
Pavlica.	

Absent—Excused

Johnson of Dimmit.

The Speaker then laid House Bill No. 866 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104

Adamson.	Holland.
Aikin.	Hoskins.
Alsup.	Huddleston.
Anderson	Hughes.
of Bexar.	Hunt.
Anderson	Hyder.
of Johnson.	Jackson.
Baker.	James.
Beck.	Jefferson.
Bourne.	Jones of Runnels.
Burns.	Jones of Shelby.
Butler.	Kayton.
Calvert.	Kyle of Hays.
Canon.	Laird.
Caven.	Latham.
Chastain.	Lemens.
Coombes.	Leonard.
Crossley.	Lindsey.
Daniel.	Long.
Dean.	Lotief.
Devall.	Mackay.
Dunlap.	Magee.
Dunagan.	Mathis.
Fain.	McClain.
Few.	McDougald.
Ford.	McKee.
Fuchs.	Metcalf.
Glass.	Mitcham.
Golson.	Moffett.
Good.	Moore.
Goodman.	Morrison.
Greathouse.	Morse.
Griffith.	Nicholson.
Haag.	Parkhouse.
Hankamer.	Patterson.
Harman.	Ramsey.
Harris.	Ratliff.
Hartzog.	Ray.
Head.	Roberts.
Hicks.	Rogers of Hunt.
Hill of Brazoria.	Rollins.
Hodges.	Ross.
Holekamp.	Russell.

Savage.	Tennyson.
Scott.	Thomas.
Shannon.	Tillery.
Shults.	Townsend.
Stanfield.	Turlington.
Steward.	Van Zandt.
Stinson.	Vaughan.
Stovall.	Wagstaff.
Sullivant.	Wells.
Tarwater.	Wood.

Nays—4

Pope.	Reed of Bowie.
Purveyer.	Reed of Dallas.

Absent

Alexander.	Jones of Atascosa.
Barrett.	Kyle of Palo Pinto.
Barron.	McCullough.
Bedford.	McGregor.
Bradley.	Merritt.
Camp.	Munson.
Cathey.	Palmer.
Clayton.	Pavlica.
Colson.	Reader.
Cowley.	Renfro.
Davidson.	Riddle.
Duvall.	Rogers
Dwyer.	of Ochiltree.
Engelhard.	Scarborough.
Fisher.	Smith.
Graves.	Walker.
Harrison.	Weinert.
Hester.	West.
Hill of Webb.	Winningham.
Holloway.	Young.
Johnson	
of Anderson.	

Absent—Excused

Johnson of Dimmit.

## SENATE BILL NO. 240 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 240, A bill to be entitled "An Act amending Article 2558, Revised Civil Statutes, 1925; and declaring an emergency."

The bill was read second time, and was passed to third reading.

## SENATE BILL NO. 240 ON THIRD READING

Mr. Young moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 240 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—103

Adamson.	Latham.
Aikin.	Lemens.
Anderson	Leonard.
of Bexar.	Long.
Anderson	Lotief.
of Johnson.	Mackay.
Baker.	Magee.
Bourne.	McClain.
Burns.	McDougald.
Butler.	Merritt.
Calvert.	Metcalfe.
Canon.	Mitcham.
Caven.	Moffett.
Chastain.	Moore.
Coombes.	Morrison.
Crossley.	Morse.
Daniel.	Nicholson.
Davidson.	Parkhouse.
Dean.	Patterson.
Devall.	Pope.
Dunlap.	Puryear.
Dunagan.	Ramsey.
Dwyer.	Ratliff.
Engelhard.	Ray.
Fain.	Reed of Bowie.
Few.	Reed of Dallas.
Ford.	Roberts.
Fuchs.	Rogers of Hunt.
Glass.	Rogers
Good.	of Ochiltree.
Graves.	Rollins.
Greathouse.	Ross.
Griffith.	Savage.
Haag.	Scott.
Hankamer.	Shannon.
Harman.	Shults.
Harris.	Stanfield.
Hartzog.	Steward.
Head.	Stinson.
Hicks.	Stovall.
Hodges.	Sullivan.
Holekamp.	Tarwater.
Holland.	Tennyson.
Hoskins.	Thomas.
Huddleston.	Tillery.
Hunt.	Townsend.
Jackson.	Turlington.
James.	Van Zandt.
Jones of Runnels.	Vaughan.
Jones of Shelby.	Wagstaff.
Kayton.	Walker.
Kyle of Hays.	Wood.
Laird.	Young.

## Absent

Alexander.	Clayton.
Alsup.	Colson.
Barrett.	Cowley.
Barron.	Duvall.
Beck.	Fisher.
Bedford.	Golson.
Bradley.	Goodman.
Camp.	Harrison.
Cathey.	Hester.

Hill of Brazoria.	McKee.
Hill of Webb.	Munson.
Holloway.	Palmer.
Hughes.	Pavlica.
Hyder.	Reader.
Jefferson.	Renfro.
Johnson	Riddle.
of Anderson.	Russell.
Jones of Atascosa.	Scarborough.
Kyle of Palo Pinto.	Smith.
Lindsey.	Weinert.
Mathis.	Wells.
McCullough.	West.
McGregor.	Winningham.

## Absent—Excused

Johnson of Dimmit.

The Speaker then laid House Bill No. 240 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—101

Adamson.	Holland.
Aikin.	Hoskins.
Anderson	Huddleston.
of Bexar.	Hughes.
Anderson	Hunt.
of Johnson.	Jackson.
Baker.	James.
Bedford.	Jefferson.
Bourne.	Jones of Runnels.
Burns.	Jones of Shelby.
Calvert.	Kayton.
Canon.	Kyle of Hays.
Caven.	Laird.
Chastain.	Latham.
Coombes.	Lemens.
Crossley.	Leonard.
Daniel.	Long.
Davidson.	Lotief.
Dean.	Mackay.
Devall.	Magee.
Dunlap.	McClain.
Dunagan.	McDougald.
Dwyer.	Merritt.
Fain.	Metcalfe.
Few.	Mitcham.
Ford.	Moffett.
Fuchs.	Moore.
Glass.	Morrison.
Good.	Morse.
Greathouse.	Nicholson.
Griffith.	Patterson.
Haag.	Pope.
Hankamer.	Puryear.
Harman.	Ramsey.
Harris.	Ratliff.
Hartzog.	Ray.
Head.	Reed of Bowie.
Hicks.	Reed of Dallas.
Hodges.	Roberts.
Holekamp.	Rogers of Hunt.

Rollins.	Tarwater.
Ross.	Tennyson.
Russell.	Thomas.
Savage.	Tillery.
Scott.	Turlington.
Shannon.	Van Zandt.
Shults.	Vaughan.
Stanfield.	Wagstaff.
Steward.	Walker.
Stinson.	Wood.
Stovall.	Young.
Sullivant.	

## Absent

Alexander.	Johnson
Alsup.	of Anderson.
Barrett.	Jones of Atascosa.
Barron.	Kyle of Palo Pinto.
Beck.	Lindsey.
Bradley.	Mathis.
Butler.	McCullough.
Camp.	McGregor.
Cathey.	McKee.
Clayton.	Munson.
Colson.	Palmer.
Cowley.	Parkhouse.
Duvall.	Pavlica.
Engelhard.	Reader.
Fisher.	Renfro.
Golson.	Riddle.
Goodman.	Rogers
Graves.	of Ochiltree.
Harrison.	Scarborough.
Hester.	Smith.
Hill of Brazoria.	Townsend.
Hill of Webb.	Weinert.
Holloway.	Wells.
Hyder.	West.
	Winningham.

## Absent—Excused

Johnson of Dimmit.

HOUSE BILL NO. 202 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 202, A bill to be entitled "An Act to empower and require the commissioners courts of the various counties to require bonds of county and district officials who are required by law to receive funds to be held in trust as a part of their official duties, and fixing the amount of, and the conditions of, said bonds, and providing for the removal of officers who fail to give said bond, and repealing all laws in conflict therewith, and declaring an emergency."

The bill was read second time.

Mr. Jefferson offered the following committee amendment to the bill:

Amend House Bill No. 202 by striking out all below the enacting clause, and insert in lieu thereof the following:

"Section 1. That the commissioners court of each county of the State of Texas be, and is empowered, and required to require, of each county or district officer in their county, whose duty it is under the law to receive and hold money in trust, a good and sufficient bond payable to the county judge and his successors in office, in a sum equal to the amount entrusted to his care, in addition to the bond now required by law of such officer, said bond to be conditioned that said officer will well and truly perform the duties required of him by law as regards such trust funds, and that he will pay over such funds to the parties entitled thereto upon the termination of said trust, as required by law. Said bond may be executed by any solvent surety company or by not less than three individual persons, but if it is executed by individual persons, each of them shall make affidavit that he is solvent and that he has real property free of liens subject to execution equal in value to the full amount of the bond. Said bond shall not be void upon the first recovery, but may be sued upon from time to time by any party who has suffered loss of any trust fund intrusted to said officer during the term for which said bond was given until the full amount thereof is exhausted. The commissioners court shall have power to require additional bond of any officer if it appear at any time that he has trust funds on hand in excess of the bond theretofore furnished, and any officer failing to give such bond or additional bond required under this Article within thirty days after same is requested of them by the commissioners court, said officer shall be subject to removal from office for such failure, and it shall be the duty of the county or district attorney of said county to bring ouster proceedings to remove such officer failing to give such bond, the bond required shall be cumulative of all other bonds required by law.

"Sec. 2. All laws and parts of laws in conflict herewith are expressly repealed.

"Sec. 3. The fact that the present bonds of many county and district officials are inadequate to protect the



trust funds in their care when considered in connection with the other liabilities against their bonds, and the fact that developments in certain counties have made it imperative that this type of trust funds have better protection create an emergency and an imperative public necessity demanding that the constitutional rule, which requires all bills to be read on three several days in each House, be suspended, and said rule is hereby suspended, and said Act shall be in force and take effect from and after its passage, and it is so enacted."

Mr. Savage offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 202 by adding Section 2-a:

"Section 2-a. Provided, however, this Act shall only apply to counties having more than two hundred and ninety thousand (290,000) inhabitants, and less than three hundred and fifty-five thousand (355,000) inhabitants, according to the last Federal Census."

SAVAGE,  
HUGHES,  
STINSON,  
COOMBES,  
REED of Dallas,  
PARKHOUSE,  
SHANNON.

The amendment was adopted.

Mr. Savage offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 202 by adding a new Section 1-a, as follows:

"Section 1-a. The commissioners court may, at its discretion, require any county or district officer to make and file such additional official bond, or bonds, as now required by law, as it may deem necessary for the protection of the county, which said bond or bonds shall be in such amount, or amounts, as said court may set, and be conditioned as is now required by law."

SAVAGE,  
HUGHES,  
STINSON,  
COOMBES,  
REED of Dallas,  
PARKHOUSE,  
SHANNON.

The amendment was adopted.

The committee amendment, as amended, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes made in the body of the bill.

House Bill No. 202 was then passed to engrossment.

### HOUSE BILL NO. 202 ON THIRD READING

Mr. Jefferson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 202 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Adamson.	James.
Aikin.	Jefferson.
Alsup.	Jones of Runnels.
Anderson	Jones of Shelby.
of Bexar.	Kayton.
Anderson	Kyle of Hays.
of Johnson.	Laird.
Baker.	Latham.
Bourne.	Lemens.
Burns.	Leonard.
Calvert.	Lindsey.
Canon.	Long.
Caven.	Lotief.
Chastain.	Mackay.
Coombes.	Magee.
Crossley.	McCullough.
Daniel.	McDougald.
Davidson.	McKee.
Dean.	Merritt.
Dwyer.	Metcalfe.
Engelhard.	Mitcham.
Fain.	Moffett.
Few.	Moore.
Ford.	Morrison.
Fuchs.	Morse.
Glass.	Nicholson.
Goodman.	Patterson.
Graves.	Pope.
Greathouse.	Puryear.
Griffith.	Ramsey.
Haag.	Ratliff.
Hankamer.	Ray.
Harris.	Reed of Bowie.
Hartzog.	Reed of Dallas.
Head.	Roberts.
Hicks.	Rogers of Hunt.
Hodges.	Rogers
Holekamp.	of Ochiltree.
Holland.	Rollins.
Hoskins.	Ross.
Huddleston.	Russell.
Hughes.	Savage.
Hunt.	Scott.
Jackson.	Shannon.

Shults.	Townsend.
Stanfield.	Turlington.
Steward.	Van Zandt.
Stinson.	Vaughan.
Stovall.	Wagstaff.
Tarwater.	Walker.
Tennyson.	Wells.
Thomas.	Wood.
Tillery.	

## Absent

Alexander.	Holloway.
Barrett.	Hyder.
Barron.	Johnson
Beck.	of Anderson.
Bedford.	Jones of Atascosa.
Bradley.	Kyle of Palo Pinto.
Butler.	Mathis.
Camp.	McClain.
Cathey.	McGregor.
Clayton.	Munson.
Colson.	Palmer.
Cowley.	Parkhouse.
Devall.	Pavlica.
Dunlap.	Reader.
Dunagan.	Renfro.
Duvall.	Riddle.
Fisher.	Scarborough.
Golson.	Smith.
Good.	Sullivant.
Harman.	Weinert.
Harrison.	West.
Hester.	Winningham.
Hill of Brazoria.	Young.
Hill of Webb.	

## Absent—Excused

Johnson of Dimmit.

The Speaker then laid House Bill No. 202 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—107

Adamson.	Dunagan.
Aikin.	Engelhard.
Alsup.	Fain.
Anderson	Few.
of Bexar.	Ford.
Anderson	Fuchs.
of Johnson.	Glass.
Baker.	Good.
Bedford.	Goodman.
Bourne.	Graves.
Burns.	Greathouse.
Calvert.	Haag.
Canon.	Hankamer.
Caven.	Harman.
Chastain.	Harris.
Coombes.	Hartzog.
Daniel.	Head.
Davidson.	Hicks.
Dean.	Hodges.
Devall.	Holekamp.
Dunlap.	Holland.

Hoskins.	Pope.
Huddleston.	Puryear.
Hughes.	Ramsey.
Hunt.	Ratliff.
Jackson.	Ray.
James.	Reed of Bowie.
Jefferson.	Reed of Dallas.
Jones of Runnels.	Roberts.
Jones of Shelby.	Rogers of Hunt.
Kayton.	Rogers of Ochiltree.
Kyle of Hays.	Rollins.
Laird.	Ross.
Latham.	Russell.
Lemens.	Savage.
Leonard.	Scott.
Lindsey.	Shannon.
Long.	Shults.
Lotief.	Stanfield.
Mackay.	Steward.
Magee.	Stinson.
Mathis.	Sullivant.
McClain.	Tarwater.
McDougald.	Tennyson.
McKee.	Thomas.
Merritt.	Tillery.
Metcalf.	Townsend.
Mitcham.	Turlington.
Moffett.	Van Zandt.
Moore.	Vaughan.
Morrison.	Wagstaff.
Morse.	Walker.
Nicholson.	Wells.
Parkhouse.	Wood.
Patterson.	

## Absent

Alexander.	Holloway.
Barrett.	Hyder.
Barron.	Johnson
Beck.	of Anderson.
Bradley.	Jones of Atascosa.
Butler.	Kyle of Palo Pinto.
Camp.	McCullough.
Cathey.	McGregor.
Clayton.	Munson.
Colson.	Palmer.
Cowley.	Pavlica.
Crossley.	Reader.
Duvall.	Renfro.
Dwyer.	Riddle.
Fisher.	Scarborough.
Golson.	Smith.
Griffith.	Stovall.
Harrison.	Weinert.
Hester.	West.
Hill of Brazoria.	Winningham.
Hill of Webb.	Young.

## Absent—Excused

Johnson of Dimmit.

## SENATE BILL NO. 480 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 480, A bill to be entitled "An Act authorizing the board of trustees of independent school districts having a scolastic population of not less than 225 and not more than 325, according to the last State scholastic census, to borrow money from the Reconstruction Finance Corporation or from other sources, for the purpose of installing canning factories, manual training equipment, equipment for physical education department, and for the erection of necessary buildings therefor, for the purchase of such equipment as is named above; and declaring an emergency."

The bill was read second time, and was passed to third reading.

### SENATE BILL NO. 480 ON THIRD READING

Mr. Vaughan moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 480 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—103

Adamson.	Goodman.
Aikin.	Graves.
Alsup.	Greathouse.
Anderson	Griffith.
of Bexar.	Haag.
Anderson	Hankamer.
of Johnson.	Harman.
Baker.	Hartzog.
Bedford.	Head.
Bourne.	Hicks.
Burns.	Hodges.
Calvert.	Holekamp.
Canon.	Holland.
Caven.	Hoskins.
Chastain.	Huddleston.
Coombes.	Hughes.
Crossley.	Hunt.
Daniel.	Jackson.
Davidson.	James.
Dean.	Jefferson.
Devall.	Jones of Runnels.
Dunagan.	Jones of Shelby.
Duvall.	Kayton.
Dwyer.	Laird.
Fain.	Latham.
Few.	Lemens.
Ford.	Leonard.
Fuchs.	Lindsey.
Glass.	Long.
Good.	Lotief.

Mackay.	Ross.
Magee.	Russell.
Mathis.	Savage.
McClain.	Scott.
McDougald.	Shannon.
McKee.	Shults.
Metcalf.	Stanfield.
Mitcham.	Steward.
Moffett.	Stinson.
Moore.	Stovall.
Morrison.	Tarwater.
Morse.	Tennyson.
Nicholson.	Tillery.
Parkhouse.	Townsend.
Patterson.	Turlington.
Puryear.	Van Zandt.
Ramsey.	Vaughan.
Ratliff.	Wagstaff.
Ray.	Walker.
Reed of Bowie.	Wells.
Roberts.	Wood.
Rogers of Hunt.	Young.
Rogers	
of Ochiltree.	

#### Nays—1

Pope.

#### Present—Not Voting

Merritt.	Thomas.
Reed of Dallas.	

#### Absent

Alexander.	Hyder.
Barrett.	Johnson
Barron.	of Anderson.
Beck.	Jones of Atascosa.
Bradley.	Kyle of Hays.
Butler.	Kyle of Palo Pinto.
Camp.	McCullough.
Cathey.	McGregor.
Clayton.	Munson.
Colson.	Palmer.
Cowley.	Pavlica.
Dunlap.	Reader.
Engelhard.	Renfro.
Fisher.	Riddle.
Golson.	Rollins.
Harris.	Scarborough.
Harrison.	Smith.
Hester.	Sullivan.
Hill of Brazoria.	Weinert.
Hill of Webb.	West.
Holloway.	Winningham.

#### Absent—Excused

Johnson of Dimmit.

The Speaker then laid Senate Bill No. 480 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—102

Adamson.	Kayton.
Aikin.	Kyle of Hays.
Alsup.	Laird.
Anderson	Latham.
of Bexar.	Lemens.
Anderson	Leonard.
of Johnson.	Lindsey.
Baker.	Long.
Bedford.	Lotief.
Bourne.	Mackay.
Burns.	Magee.
Butler.	Mathis.
Calvert.	McClain.
Canon.	McDougald.
Caven.	Merritt.
Coombes.	Metcalfe.
Crossley.	Mitcham.
Daniel.	Moffett.
Davidson.	Moore.
Dean.	Morrison.
Devall.	Morse.
Dunlap.	Nicholson.
Dunagan.	Patterson.
Duvall.	Pope.
Fain.	Puryear.
Few.	Ramsey.
Ford.	Reed of Bowie.
Fuchs.	Reed of Dallas.
Glass.	Roberts.
Good.	Rogers of Hunt.
Goodman.	Ross.
Graves.	Russell.
Greathouse.	Savage.
Griffith.	Scott.
Haag.	Shannon.
Hankamer.	Shults.
Harman.	Stanfield.
Harris.	Steward.
Hartzog.	Stinson.
Head.	Stovall.
Hicks.	Sullivant.
Hodges.	Tarwater.
Holekamp.	Tennyson.
Holland.	Tillery.
Hoskins.	Townsend.
Huddleston.	Turlington.
Hughes.	Van Zandt.
Hunt.	Vaughan.
Jackson.	Wagstaff.
James.	Walker.
Jefferson.	Wells.
Jones of Runnels.	Wood.

## Nays—4

Chastain.	Ray.
Ratliff.	Thomas.

## Absent

Alexander.	Cathey.
Barrett.	Clayton.
Barron.	Colson.
Beck.	Cowley.
Bradley.	Dwyer.
Camp.	Engelhard.

Fisher.	Munson.
Golson.	Palmer.
Harrison.	Parkhouse.
Hester.	Pavlica.
Hill of Brazoria.	Reader.
Hill of Webb.	Renfro.
Holloway.	Riddle.
Hyder.	Rogers
Johnson	of Ochiltree.
of Anderson.	Rollins.
Jones of Atascosa.	Scarborough.
Jones of Shelby.	Smith.
Kyle of Palo Pinto.	Weinert.
McCullough.	West.
McGregor.	Winningham.
McKee.	Young.

## Absent—Excused

Johnson of Dimmit.

HOUSE BILL NO. 578 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 578, A bill to be entitled "An Act defining certain words, terms, and phrases for the purposes of this Act; providing and imposing an occupation tax on sales in intra-state commerce in this State, of cigarettes, according to their weight; providing that the payment of such tax shall be evidenced by stamps furnished by the State Treasurer; authorizing and requiring the Treasurer to design and have printed or manufactured, such stamps; requiring such stamps to be affixed on each individual package of cigarettes; providing that such stamps shall be supplied by the Treasurer to all licensed dealers, at a discount, when purchased in certain quantities, etc.; and declaring an emergency."

The bill was read second time.

Mr. Reed of Bowie offered the following amendment to the bill:

Amend House Bill No. 578, page 12, between lines 19 and 20, the following paragraph, to be numbered "j":

"j. The Comptroller shall have power to issue stamps to any wholesale dealer in cigarettes under rules and regulations to be prescribed by him, and such dealer shall be allowed to sell such stamps."

Question—Shall the amendment be adopted?

## NOTICE GIVEN

Mr. Wagstaff gave notice that he would, on the next legislative day,

move to take up, for consideration at that time, House Bill No. 322, which bill had heretofore been laid on the table subject to call.

### ADJOURNMENT

Mr. Mathis moved that the House recess to 9:30 o'clock a. m., tomorrow.

Mr. Rogers of Ochiltree moved that the House adjourn until 9:30 o'clock a. m., Friday, April 14.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion prevailed by the following vote:

#### Yeas—68

Adamson.	Kyle of Hays.
Aikin.	Latham.
Alsup.	Leonard.
Anderson	Lindsey.
of Johnson.	Magee.
Beck.	McDougald.
Bourne.	Merritt.
Burns.	Metcalfe.
Butler.	Mitcham.
Camp.	Moffett.
Canon.	Puryear.
Caven.	Ratliff.
Chastain.	Ray.
Crossley.	Reed of Bowie.
Daniel.	Rogers of Hunt.
Dean.	Rogers
Devall.	of Ochiltree.
Dunagan.	Rollins.
Fain.	Ross.
Few.	Savage.
Glass.	Scott.
Golson.	Shults.
Goodman.	Steward.
Graves.	Stovall.
Harman.	Sullivan.
Harris.	Tarwater.
Head.	Tennyson.
Hicks.	Thomas.
Hodges.	Townsend.
Huddleston.	Turlington.
Hughes.	Van Zandt.
Hunt.	Vaughan.
Hyder.	Wagstaff.
Jones of Runnels.	Wells.
Jones of Shelby.	Wood.

#### Nays—46

Anderson	Ford.
of Bexar.	Fuchs.
Baker.	Good.
Bedford.	Greathouse.
Calvert.	Griffith.
Coombes.	Haag.
Davidson.	Hankamer.
Duvall.	Hartzog.
Dwyer.	Holekamp.
Engelhard.	Holland.

Hoskins.	Patterson.
Jackson.	Pope.
James.	Ramsey.
Jefferson.	Reed of Dallas.
Kayton.	Roberts.
Laird.	Russell.
Long.	Shannon.
Lotief.	Stanfield.
Mackay.	Stinson.
Mathis.	Tillery.
McKee.	Walker.
Moore.	Weinert.
Morse.	Young.
Nicholson.	

#### Present—Not Voting

McClain.

#### Absent

Alexander.	Jones of Atascosa.
Barrett.	Kyle of Palo Pinto.
Barron.	Lemens.
Bradley.	McCullough.
Cathey.	McGregor.
Clayton.	Morrison.
Colson.	Munson.
Cowley.	Palmer.
Dunlap.	Parkhouse.
Fisher.	Pavlica.
Harrison.	Reader.
Hester.	Renfro.
Hill of Brazoria.	Riddle.
Hill of Webb.	Scarborough.
Holloway.	Smith.
Johnson	West.
of Anderson.	Winningham.

#### Absent—Excused

Johnson of Dimmit.

The House, accordingly, at 10 o'clock p. m., adjourned until 9:30 o'clock a. m., Friday, April 14.

### APPENDIX

#### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Highways and Motor Traffic: Senate Bill No. 300.

Education: House Bill No. 592.

State Affairs: House Concurrent Resolutions Nos. 49, 56, 59, 55, 61, 62; Senate Concurrent Resolution, No. 25; House Bills Nos. 635, 202; Senate Bill No. 384.

Counties: House Bill No. 877.

The Committee on Counties filed adverse reports on House Bills Nos. 515, 580, and 581.

REPORT OF THE COMMITTEE ON  
ENGROSSED BILLS

Committee Room,  
Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 313, A bill to be entitled  
"An Act prohibiting the transportation upon public highways of gasoline in excess of thirty (30) gallons with certain exceptions; providing for a penalty, and declaring an emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. J. R. No. 42, Proposing amendments to Section 30, of Article XVI, of the Constitution of Texas, permitting elected officials of a city that has adopted and amended its charter as provided in Section 5, of Article II, of the Constitution of Texas, by amendment to such city's charter to hold office not exceeding four (4) years; providing for its submission to the voters of the State of Texas, as required by the Constitution, and making an appropriation therefor,

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. J. R. No. 41, Proposing an amendment to Section 5, of Article II, of the Constitution of Texas, permitting a city that has adopted and amended its charter as provided in Section 5, of Article II, to alter, amend, or repeal its charter once in every six months; providing for its submission to the voters of the State of Texas as required by the Constitution, and making an appropriation therefor,

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 408, A bill to be entitled  
"An Act providing for evidence of handwriting by comparison, and declaring an emergency." (Relative to trial of any civil case.)

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. J. R. No. 30, Proposing an amendment to Article VII, of the Constitution, of the State of Texas, so as to authorize the taxation of lands belonging to the University of Texas, for county, or school district purposes; and providing for valuation of these lands by State Tax Board; and providing for the payment of such taxes by the State of Texas, to the proper authorities of the counties where said lands are located; providing for an election upon such proposed constitutional amendment, and making an appropriation therefor,

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 361, A bill to be entitled  
"An Act to amend Section 13, of Chapter 280, of the General Laws of the Forty-first Legislature of Texas, Regular Session, relating to water control and improvement districts. This Act will in nowise change the provisions of Section 13, but does propose to insert therein, immediately after Subdivision (2) thereof, a paragraph to be Subdivision (3) of said Section, and to provide that: In case such a district has not completed its works in accordance with its plan for improvements; has not money from

other sources adequate to complete its works as planned, but has acquired property or lands found not to be reasonably required to carry out the plans, the proceeds of the sale of such property or land may be applied to the completion of the works contemplated by the district's plans for improvements. Also declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 884, A bill to be entitled "An Act providing for an open season on squirrels in Liberty and Hardin Counties; providing a penalty, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 882, A bill to be entitled "An Act providing for open season for the taking and killing of squirrels in Kaufman County, Texas, during the months of October, November, and December of each year; providing penalties, and repealing laws in conflict herewith,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 407, A bill to be entitled "An Act providing for proof of the execution of attested or witnessed instruments or writings which are not required by law to be attested or witnessed, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 97, A bill to be entitled "An Act amending Article 841, of the Code of Criminal Procedure of the State of Texas, 1925, so as to provide that the clerk of a court from which an appeal is taken shall prepare a transcript in duplicate in every case, the copy to be filed in the trial court with the original papers in the case, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 360, A bill to be entitled "An Act to amend Article 451, of the Code of Criminal Procedure, 1925, relating to the taking of bail in felony cases; providing that in cases of arrest for felony less than capital, the sheriff may take the bail, and providing a manner of requiring new bail after indictment, if insufficient bail has been taken; and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.  
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 262, A bill to be entitled "An Act amending Article 497 of the Penal Code of the State of Texas, by striking out the words 'after the death of her mother' immediately following the words 'her mother's husband'; and by striking out the words 'after the death of her daughter' immediately following the words 'her daughter's husband' (relating to marriage rights), and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 303, A bill to be entitled  
"An Act to regulate the operation  
of corporations organized and incor-  
porated under a pre-existing law in  
this State without capital stock and  
not for profit, which law has been  
amended or repealed or re-enacted,  
and which were operating and carry-  
ing on in this State immediately prior  
to January 1, 1933, the State-wide  
business of mutually protecting or  
insuring the lives of their members  
by assessments made upon their mem-  
bers; and providing that local mutu-  
al aids, operating under the terms  
of Chapter 274, Acts of 1929, Forty-  
first Legislature, page 563, may com-  
ply with the terms of this Act; and  
revoking, repealing, and cancelling  
the charters of such corporations ex-  
cept local mutual aids failing to com-  
ply with this Act, and forever pro-  
hibiting such corporations from do-  
ing business in this State, and pro-  
viding for their liquidation; and re-  
voking, repealing, and cancelling the  
charters of all mutual relief or bene-  
fit associations exempt from the in-  
surance laws of this State under the  
provisions of Article 2971-a, Revised  
Statutes of 1879, and Article 3096  
and 3096-w, of the Revised Statutes  
of 1895, failing to comply with the  
terms of this Act, and forever pro-  
hibiting said associations from doing  
business in this State, and providing  
for the liquidation of same; and ex-  
cepting certain insurance companies  
and associations from the provisions  
of this Act, etc., and declaring an  
emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 182, A bill to be entitled  
"An Act to amend Article 6834 and  
Article 6835, Title 118, of the Revised  
Civil Statutes of the State of Texas  
of 1925, by striking out the phrase of  
'two-thirds of the taxpayers' wher-

ever the same appears therein and in-  
serting in lieu thereof the clause,  
'two-thirds majority of the resident  
property taxpayers voting thereon,'  
and declaring an emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 275, A bill to be entitled  
"An Act providing for a game breed-  
er's license, the fee for same; effective  
date of such licenses; the privileges  
granted under such license, with cer-  
tain restrictions; providing for keep-  
ing of record of the operation of game  
breeders; providing certain regula-  
tions in reference to the transporta-  
tion of game, etc., and declaring an  
emergency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 278, A bill to be entitled  
"An Act to amend Article 333, of the  
Penal Code of the State of Texas,  
relating to interfering with custody  
of girls committed to Girls' Training  
School; to repeal all laws in conflict  
therewith, and declaring an emer-  
gency,"

Has carefully compared same, and  
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,  
Austin, Texas, April 12, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 296, A bill to be entitled  
"An Act to amend Article 1685, of the  
Revised Civil Statutes of Texas, 1925,  
providing for quarterly and annual  
reports of the county auditor to the  
commissioners court, and district  
judge, or judges, of his county; pro-  
viding for contents of said report;



providing for the time of filing, and declaring an emergency."

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,

Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 294, A bill to be entitled "An Act to amend Article 2029, Chapter 3, of the Revised Civil Statutes of 1925 (relating to service of citation on officers or agents of associations, etc., in suits against such associations, corporations, etc.), and declaring an emergency."

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,

Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 74, A bill to be entitled "An Act to amend Article 2549, of the Revised Civil Statutes of Texas, for 1925, so that the requirements and provisions of said Article shall remain and be the same as at the present, except that it shall provide that the funds deposited by the tax collector of each county shall bear interest on daily balances 'at the rate, if any, fixed for such deposits of the tax collector by the commissioners court in its order designating such depository or depositories,' etc., and declaring an emergency."

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,

Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 71, A bill to be entitled "An Act to amend Article 1302, of the Revised Civil Statutes of Texas of 1925, by adding thereto a subdivision to be known as No. 95, to read as follows: 'Subdivision 95. Corporations may be created for, or after

being created, charters may be amended to include, the construction, maintenance, and operation of radio broadcasting equipment and stations,' and declaring an emergency."

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,

Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 62, A bill to be entitled "An Act to amend Article 1778, of Chapter 6, of Title 37, and Article 1871, of Chapter 5, of Title 39, of the Revised Civil Statutes of 1925, relating to the time for returning executions for costs issued from the Supreme Court and Courts of Civil Appeals; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,

Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 57, A bill to be entitled "An Act to authorize the commissioners court of any county in this State, where the constitutional limit of taxes for general purposes has been levied, having an unexpended balance to the credit of the road and bridge fund from funds derived from license tax, registration fees, or other tax on motor vehicles, to transfer such unexpended balance, or any portion thereof, to the general fund of the county, etc., and declaring an emergency."

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,

Austin, Texas, April 12, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 282, A bill to be entitled "An Act to levy an income tax upon

natural persons and corporations for the purpose of reducing the State ad valorem tax upon property; defining certain terms; providing that first tax shall be assessed in 1934 on net income for 1933; specifying under what conditions estates, trusts, and fiduciaries are taxable, and method of taxing same; exempting certain non-profit organizations; providing that the tax herein levied shall be a personal debt of the person assessed to the State of Texas; authorizing the Tax Commission to require certain records to be kept; providing for accounting periods according to fiscal or calendar year, and the method of changing such periods; defining net income; defining gross income and specifying deductions allowed from gross income; prescribing what deductions shall be allowed to non-residents; specifying items not deductible from gross income; prescribing a method of determining gain or loss in sale of capital assets; prescribing when exchanges of property are taxable and to what extent; prescribing method of allocating and apportioning income of persons engaged in business outside of the State; providing certain exemptions; providing credits to non-resident taxpayers for certain taxes paid in State of residence; providing certain credits for other taxes; specifying who shall file returns, the content, manner, time, and place of filing same; prescribing content, manner, time, and place of filing returns of fiduciaries; allowing consolidated returns in certain cases; providing for informational returns, and prescribing the content, manner, time, and place of filing such returns; setting out method of filing returns when accounting period is changed; providing that members of a partnership are taxable only in individual capacities; prescribing time, place, and manner of payment of tax; authorizing the Tax Commission to require supplementary returns in certain cases; prescribing method of examination of returns, recomputation of tax, assessment of recomputed tax, protest of such additional assessment; prescribing regulations for hearings by the Tax Commission; placing a three (3) year limit on assessment of income taxes in general, but providing that no limitation shall apply to false or fraudulent returns of failure to file a return; providing for the refund of overpayments, and putting

a limitation thereon; providing for revision and readjustment of any assessment by the Tax Commission upon application for hearing within one year by the taxpayer; providing for review of determinations of the Tax Commission by the district court requiring certain procedure precedent to appeal; providing that collection of income tax shall not be stayed, except as otherwise provided in this Act; prescribing certain penalties, additional taxes and interest for violation of the provisions of this Act, and the manner of collecting same; providing for collection of income taxes by warrant and levy; prescribing further action for recovery of taxes; prescribing the method of administration of this Act, and the duties and powers of the Tax Commission incident thereto; requiring secrecy of returns, and prescribing cases in which returns may be brought into court or otherwise disclosed; providing penalties for violation of secrecy provision by any official or employe of the Tax Commission; allocating the tax to the General Revenue and Available School Funds; providing for fixing ad valorem tax rate for 1934 and 1935 at fifty-seven (57) cents on the one hundred dollars (\$100) valuation; providing for the filing of duplicate Federal income tax returns with the State Tax Board and providing penalties; providing for directions to the State Automatic Tax Board; declaring contracts to assume income taxes illegal; declaring that any unconstitutional part of this Act shall not affect the remainder; making an appropriation for the purpose of placing this Act in immediate effect, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

#### REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,  
Austin, Texas, April 13, 1933.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 104, "An Act to amend Sections 1, 2, and 6, Chapter 148 of the General Laws passed by the Forty-second Legislature at its Regular Session in 1931, relating to the

authority of counties and incorporated cities and the Texas State Parks Board, separately, or in co-operation with each other, to acquire by gift or purchase land for public parks; providing that lands to be acquired by any such city may be situated within or without its corporate limits, in the discretion of the governing body thereof, but within the county in which such city is situated; authorizing the issuance of bonds by any such city for park purposes; adding to said Chapter 148 a new Section to be called Section 2-a, legalizing, approving, and validating bonds voted by any city or town for the purpose of acquiring lands for park purposes within the corporate limits, and the levy of the tax in payment of such bonds under authority of Chapter 148 of the General Laws passed at the Regular Session of the Forty-second Legislature; prescribing the maximum tax that may be levied in payment of bonds issued by cities and towns for park purposes; providing that nothing herein shall be construed as a repeal of any special charter, but that the provisions hereof shall be cumulative of any such special charter; repealing all provisions of the General Statutes in conflict herewith, declaring the legislative intent in respect of the enactment of said Chapter 148 of the General Laws of the Forty-second Legislature, Regular Session; enacting provisions incident and necessary to the subject and purpose of this Act, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROLLINS, Acting Chairman.

Committee Room,  
Austin, Texas, April 13, 1933.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 413, "An Act providing for the government of water improvement districts organized or hereafter organized in accordance with the provisions of Chapter 247, Acts of the Fortieth Legislature, and governed by the provisions of Chapter 2, Title 128, Revised Civil Statutes and amendments thereto, and which include

within their area or boundaries parts of several organized water improvement districts, and/or irrigation districts, and or water control and improvement districts, and/or irrigation plants, or water plants not organized as defined districts, and providing for the operation, government, and control of such districts, and of all such defined districts, irrigation, and or water plants included within such districts, providing for changing the name of such districts to include the name of water power control districts, the extension of the boundaries thereof, the exclusion of land therefrom, the election and appointment of directors, the creation of debts and the levy and collection of taxes and water charges and fixing a lien on properties assessed, and providing for the organization of water improvement districts as divisions of such water power control districts and the issuance of bonds and other evidences of debt by such included districts to pay debts incurred by such water power control districts and the levy and collection of taxes and water charges, and fixing a lien on properties assessed; providing for the fixing of rights of such included water improvement districts and/or irrigation districts and/or irrigation or water plants within said water power control districts, and the fixing of their rights and settlement of such rights, and validating all water appropriations thereof, and providing for the construction of water and power plants and the method of creating debts to pay for same and all operating charges and expenses, providing for the construction and operation of power plants by such districts and the purchase and sale of power and electricity; providing for the securing of funds from the Reconstruction Finance Corporation and the agencies of the Federal Government in accordance with the laws of the United States, and providing the methods of securing and paying debts created for such purposes by water power control districts and water improvement districts or other defined districts included within such water power control districts, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,  
Austin, Texas, April 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. C. R. No. 64, Providing for the  
suspension of Joint Rule XXIII,  
Has carefully compared same, and  
finds it correctly enrolled.

ROLLINS, Acting Chairman.

Committee Room,  
Austin, Texas, April 13, 1933.  
Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: Your Committee on Enrolled  
Bills, to whom was referred

H. B. No. 99, "An Act authoriz-  
ing and directing the Commissioner  
of the General Land Office of the  
State of Texas to deed, convey, as-  
sign, and/or transfer all right, title,  
and interest of whatsoever class,  
kind, or character directly or indi-  
rectly belonging to the State of  
Texas in and to that tract of land  
known as the 26.5-acre Park Site  
situated near Concan Post Office in  
Uvalde County, Texas, to A. B. May-  
hew, and declaring an emergency,"

Has carefully compared same, and  
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

#### FIFTY-FIRST DAY

(Friday, April 14, 1933)

The House met at 9:30 o'clock a. m.,  
pursuant to adjournment, and was  
called to order by Speaker Stevenson.

The roll was called, and the follow-  
ing Members were present:

Mr. Speaker.	Camp.
Adamson.	Canon.
Aikin.	Cathey.
Alexander.	Caven.
Alsup.	Chastain.
Anderson	Clayton.
of Bexar.	Colson.
Anderson	Coombes.
of Johnson.	Cowley.
Baker.	Crossley.
Barrett.	Daniel.
Barron.	Davidson.
Beck.	Dean.
Bedford.	Devall.
Bourne.	Dunlap.
Bradley.	Dunagan.
Burns.	Duvall.
Butler.	Dwyer.
Calvert.	Engelhard.

Fain.	Merritt.
Fisher.	Metcalfe.
Ford.	Mitcham.
Fuchs.	Moffett.
Glass.	Moore.
Golson.	Morrison.
Good.	Morse.
Goodman.	Munson.
Graves.	Nicholson.
Greathouse.	Palmer.
Griffith.	Parkhouse.
Haag.	Patterson.
Hankamer.	Pavlica.
Harman.	Pope.
Harris.	Puryear.
Harrison.	Ramsey.
Hartzog.	Ratliff.
Head.	Ray.
Hicks.	Reader.
Hill of Brazoria.	Reed of Bowie.
Hill of Webb.	Reed of Dallas.
Hodges.	Roberts.
Holekamp.	Rogers of Hunt.
Holland.	Rogers of Ochiltree.
Holloway.	Rollins.
Hoskins.	Ross.
Huddleston.	Russell.
Hughes.	Savage.
Hunt.	Scarborough.
Hyder.	Scott.
Jackson.	Shannon.
James.	Shults.
Jefferson.	Smith.
Johnson	Stanfield.
of Anderson.	Steward.
Jones of Atascosa.	Stinson.
Jones of Runnels.	Stovall.
Jones of Shelby.	Sullivant.
Kayton.	Tarwater.
Kyle of Hays.	Tennyson.
Kyle of Palo Pinto.	Thomas.
Laird.	Tillery.
Latham.	Townsend.
Lemens.	Turlington.
Lindsey.	Van Zandt.
Long.	Vaughan.
Lotief.	Wagstaff.
Mackay.	Walker.
Magee.	Weinert.
Mathis.	Wells.
McClain.	West.
McDougald.	Winningham.
McGregor.	Wood.
McKee.	Young.

Absent

Leonard.	Riddle.
Renfro.	

Absent—Excused

Few.	Johnson of Dimmit.
Hester.	McCullough.

A quorum was announced present.  
Prayer was offered by Rev. Geo. W.  
Coltrin, Chaplain.